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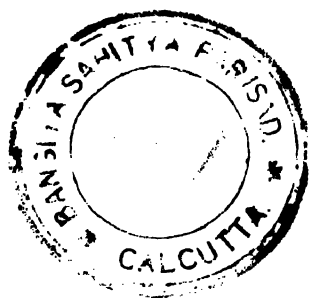
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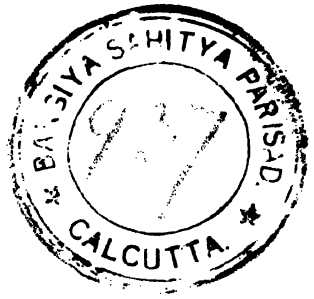
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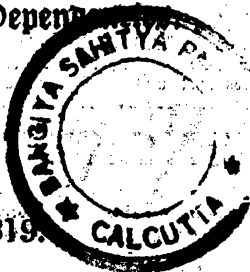
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THE ASIATIC JOURNAL

APRIL 1819

ORIGINAL COMMUNICATIONS

To the Editor of the Asiatic Journal

SIR :—Early in 1804, from being senior in my department with the Bundelcund army, I accompanied a detachment of it that joined part of the grand army occupied in the siege of Gwalior گوالیار; and being afterwards for two months in garrison in that enormous and superb citadel, I had an opportunity of admiring the many Hindu buildings contained within it; and having many years before visited the Táj Máhal at Agra, the Jamai Masjid at Delhy, and other magnificent monuments of Moghul grandeur, I had acquired a taste for oriental antiquities; and having long felt desirous of visiting Persia, and those places that gave birth to a race of poets, whose elegant writings had for twenty years formed the chief source of my literary amusement; and having completed the period that entitled me to retire to Europe on the full pay of my rank, I wrote to my old school-fellow, Dr. W. Hunter, secretary to the Asiatic Society, to ascertain whether I could possibly accompany an embassy, then supposed to be proceeding to Cabúl, *Asiatic Journ.*—No. 40.

if not to Taharán, and occupied myself, in the mean time, in drawing up a route of my intended travels, and the Persian antiquities this natural curiosity might enable me to explore. But so far from the armistice in the Dukkan terminating in a peace, the plains of Hindustan continued for two years more to be the seat of anarchy and bloodshed; and I was doomed to make a third dreary voyage of 15,000 miles across the ocean, be captured by Admiral Linois, wrecked on the coast of America, and encounter more perils than any overland journey could have subjected me to. However, as some more fortunate travelling amateur may benefit by those memorandums, I beg leave to subjoin a copy of them as follows.

Whether I had accompanied a British envoy, and availed myself as far as it went of its escort; or at once set out in the character of a sannyási on a pilgrimage to visit the sacred fire at Bakú باکو, on the N.W. extremity of the Abis-gún آبسگون or Caspian sea, I should

have accommodated myself with only absolute necessities, and a few hindees from a Calcutta banker, whose drafts are current all over Asia; and leaving Delhi

and the banks of the Jawn جون Jumna, early in January, should have proceeded by the common route of Paniput پانی پت, where the Moghuls, in A.D. 1761, decided that their empire should sink gradually into the hands of a few British merchants, instead of being conquered by the Marattahs; by Lodians (which is now a frontier British cantonment) and by Amritsar, the present capital of the Sikhs, to Lahor لاہور, and passing the Chinab چناب at Wazirabad, and the Jilam جلم at Jilam, where I should be first struck with the change of features in the country, the face of that part of the Panj-áb پنجاب I had then crossed retaining the flat and rich characteristics of the rest of Hindustan; whereas the rugged and wild appearance of the opposite bank, and that hilly tract I was about to enter, would inspire the most undaunted traveller with

awful presentiments. But I should soon have found that the *really great* Moghuls had travelled this road before me, and with the usual magnificence of all their undertakings had cut a broad road through the solid rock of the only impracticable chain of hills on this tract, which is still in good repair, and extends near a mile, before I could reach the town of Rawil Pindi; the famous fort of رهاٹس Rahtas I should have passed before I reached that town. After recreating some days in the beautiful valley and garden of Hassan Abdaul, three stages east of the Sind سند, and which was the favorite resting place of Akbar and Jihangir, the patrons of Hassan Anjû, author of the Farhang-i Jihangiri, during their annual migrations together to Cashmîr کشمیر; and enjoying the following poetic description of that pastoral valley and emblem of paradise, حنت نظر of Rafia-ad-din, the companion also of Hassan Anjû, on those summer excursions, and a poet of the court of Akbar, if I could not actually visit it:

مرا افتاد کذر نوبتی سوی کشمیر
 * اگر تو کوش کنی شمه کنم تقریر
 تبارق و هند و خراسان و فارس را دیدیم
 * ندیده ام به هوا و لطافت کشمیر
 تمام سال از کشمیر تا حدود خطا
 * هوا فصل بهار است و جای ابر مطیر
 دست و سبزه صهرا و آبهای روان
 * رواق و طاق و محلهای خوب بر تصویر
 ز هر طرف همه کوهست و چشمه سار و درخت * میان کوه پراز جوز و سیب و از انجیر

On one occasion I made a journey into Cashmîr, and if you will listen to me I will try to give you some small description of that charming valley: I had visited Irac, Khorasan, Hindustan, and Para proper; but had no where experienced the soft air and fine climate of Cashmîr. Throughout the whole year, from Cashmîr as far as the borders of Khatâ, there reigns a perpetual spring, and the atmosphere is tempered with gentle showers; so that the fields are at all

times covered with flowers and verdure, and the plains filled with purling streams, and the views diversified with stately palaces, domes, cupolas, and other magnificent buildings, and the sides of the valleys rise into hills, with fountains, rivulets, and groves, and the hills are clothed with every variety of the nut tree, the apple and the fig.

After describing the mirth and revelry in which this simple people

pass their happy time, and their food, he adds, How shall I describe the lovely damsels?

* بهر طرف كه به بيني چو ماه و بدر قمير
 * هزار حلقه بر آن همچو حلقه زنجير
 * ابريزد از سر هر مو هزار جان اسير
 * دهان تنگ زايخا و شان حور نظير
 * تمام شان بجلالت چو قند و شكر و شير
 * رسیده بود بكشمير با محمد پير

شكر لبان صنوبر قد سمن رخسار
 كمند كيسوي مشكين دلربايانش
 چو زلف را ز سر دلبري برافشانند
 هزار يوسف مصري بر آرد از ته چاه
 تمام شان نمكين و طريف پر زينت
 رفيع در قدم شاه اكبر غازي

For, in my opinion, all their lips are sweet as sugar, their forms stately as the mountain pine, and their breath fragrant as jessamin; and on whichever side you look you can behold only moons and full moons; the musky and waving ringlets of those heart-plunderers twined into a thousand wily snares, like the links of a chain: when they let loose their flowing tresses from those soul-ravishing heads, the point of each hair can captivate a thousand hearts; they can draw a thousand Josephs of Egypt from the bottom of the well (where his brethren immured him), and damsels with small and pouting lips, that may rival Zúlikhá (Potiphar's wife), and compare with the houries or nymphs of paradise; all of them fresh, young, and blooming; all of them arrayed in splendour, and sweet as milk and sugar. Rafiá (that is the author) had visited Cashmír in the train of the Emperor Akbar Ghazí, and in the company of Mohammed Peer.

In this Ghaz'l we have an example of the degeneracy of the age in which the author wrote, A.D. 1601; for the classical purity of the Persian muse had been corrupted by Jamí and his followers a century and a half before that time; as we may observe in such expressions as *سمن رخسار*, which translated literally, would signify a jessamin cheek, and convey the sickly hue of Shakespear's green and yellow melancholy smiling at grief, rather than a rosy and blooming dame, that could captivate the heart; but in the *فصل بهار* and other compounds, we recognise Hafiz and the poets

of the preceding ages. Of European travellers, Bernier and Foster give the best accounts of Cashmír. The distance from Delhi to the Attok is 570 miles; from the Attok to Peshwar 50; and from that to Cabul 180.

The fine province I had just traversed, called Panj-áb, or Five Waters, from being included within the five rivers, the Sind proper, the Jílám, Chináb, Rawí, and Biyah; or the Indus, Hydaspes, Acesines, Hydroates, and Hyphasis of the Greeks, and but lately forming part of the Moghul empire, is now occupied by the Siks, a rising sect, who might be considered, in respect of the Hindús, what the Protestants are to the Catholics, and who, on any change of Brito-oriental fortune, are likely to be the sovereigns of Hindustan. But neither they, nor their lately acquired territory, offer much to interest the transient traveller. After crossing the Indus at Attok *انكٲ*, and considering myself at Níláb *نيلاب*, the oriental Persian name of that pass, as in the territory of Persia, I should find the superior class speaking the Persian language; but the modern vulgar dialect throughout Cabul is the Pushtú *پشتو*, a language whose origin and idiom, as well as the Afghán *افغان* people, who speak it, we have very unsatisfactory accounts of, and both of them I should have

made a point of investigating on the spot. Are the Afghans the descendants of those Pahlowáns

پهلوان, the companions of Zál and Rostam; and is the Pushtú a dialect of the Pahlwí? And of the origin and idiom of the Panjábi we are equally ignorant. Keeping the south bank of the Kámah کامه or Cabul river, I should pass

by Péshtar پشور and Jilálábád جللاباد to the city of Cabúl, the oriental capital of Cábulistan كابلستان, and the fief and residence of Zál and Rostam. Kh'ajah Abd-al-karím خواجه عبدالكریم, a native traveller of genius and learning, who accompanied Nadir Sháh on his return from Delhi to Persia, A.D. 1739, and to whom I am indebted for much information, found Cabúl, then dependent on the Shah, much desolated by the oppressions of the governor; but the country in a better state, and the natives hale and robust, from its healthiness and fruitfulness, and the ruins were comparatively modern, nor had then or have now any interest.

Before I proceeded west I should take a trip to Balkh بلخ, lying near $2\frac{1}{2}$ degrees, better than 300 miles by the road N.N.W. from Cabúl, which Kai-khosró کی خسرو while deciding the fate of Irán and Túrán ایران و توران in his famous wars with Afrasiyáb توران, king of Túrán, made his capital; and which in a military sense had, by the ancient Persians, been always considered as the post of honour as well as the residence of sanctity and learning, being the place where Lohrasp passed his latter days, and under whose auspices Zardasht زردشت planned his reformation of the ancient religion, which had

somehow been tarnished by the contiguity and idolatry of the Brahmans. Indeed Balkh has from time immemorial been considered as the oldest city in the world, and the Musulmans have in consequence given it the name of

Omm-al-balád أم البلاد, or the mother of cities; but I fancy they meant Bámiyan. In Nadir Shah's time it was reannexed, as it has often been, to Persia, and was then much decayed; but it is now, together with its surrounding territory, a province of Afghanistan, still encircled with walls, and otherwise in ruins, with the exception of one corner, where is the citadel or residence of the governor and his establishment, with a few Hindú and other dependents. For, curious enough, all over the eastern provinces of Persia, we still meet many Hindú colonies, an object to a person travelling as a sannyási; and the contiguous territory abounds with villages and cultivation, owing to its many canals, and particularly that called Bandi Amir; another example of the munificence of Tímúr. But since his time the Ozbeks اذبك have become the reigning tribe at Balkh, as well as at Orgunj ارگنج, in Kh'arizm, at Bakhara and Farghánah, and the Turkí is now its vulgar dialect. In its ruins I should find much to interest; and among those exotic tribes I should expect to meet examples of that beauty of the Turks ترکان, so constant a theme of the Persian poets; but might possibly find it to consist rather in their fair and ruddy complexions, contrasted with their black and musky hair, than in regular features and well-modelled persons. The inhabitants of Farghánah are proverbial for this excellence, as those for Bakhará are for genius and learning, the ancient Persian

word بخار having that signification, and this city is still the seat of science, abounding in Madresat مدرست or colleges, and otherwise rich and populous. But I could expect no recompense for the danger and fatigue of passing the deserts, that would still intervene between me and those provinces; for Túrán has ever been poor in money, and the means of luxury and splendid buildings, but rich in the necessities of life, with a superflux of population, having robust frames and healthy constitutions, and being ready to follow any adventurer, and when trained to war able to conquer every country they proceed against; but within a few generations getting enervated in their turn, and mingling with the natives, while the original soil, in its happy poverty, continues the cradle of successive adventurers and conquerors.

But my chief object in this trip would be to visit Bámi or Bámiyán باميان بامي, generally confounded with Balkh, though a distinct and very singular place, to which my favourite reading so often refers me, and which I have already partly noticed. Indeed, as Balkh would properly enough seem to have been the grand mi-

litary station and post of honour, so Bámi was the seat of the philosophers and priests, and sanctified asylum of the pious and aged; and it was when Ispindiya, or Xerxes, as the Greeks call him, withdrew the select troops from Balkh to strengthen his army employed in the conquest of Asia Minor, Syria, and Egypt, and impose upon the inhabitants the new faith of Zartasht, that the people of Túrán made an inroad upon Balkh and Bámi, and slew Lohrasp, who was living retired there, and all the priests and learned men.

But before I quit Balkh, it behoves me to notice it as the birth-place of Jilál-ad-dín Rúmí, so called from having long resided in the province of Anatolia, or Asia Minor, but more commonly quoted by the title of Múlowi Manowí مولوي معنوي, or the mystical doctor. His chief work, the Masnowí مشنوي, is rich in imagery and a blaze of mystic love throughout. The commencement of its first book has been quoted by Sir W. Jones and Thomas Law, the brother of the late Lord Ellenborough, and ably translated by each into English verses; and no work of its bulk abounds more with fine poetry and elegant diction: and thus opens the third book.

گفت معشوقی بعاشق کای فقا * تو بغربت دیدہ بس شہرہا
 پس کدامین شہرز آنہا خوشتر است * گفت آن شہری کہ درونی دلبر است
 ہر کجا باشد شہ مارا بساط * ہست صبرا کر بود سم الخیات
 ہر کجا کہ یوسفی باشد چوماد * جنت است آن ارچہ باشد قعرچاہ
 با تو دوزخ جنت است ای جانفزا * با تو زندان کلشنست ای دلربا

A mistress asked her admirer, and said, O, fond youth! during your travels you have visited many strange countries; which of them have you found the most agreeable place of sojourn? He replied, I find that city the most attractive, which is the dwelling place of my beloved: wherever the queen of our wishes might

reside, though it were narrow as a needle's eye, it would seem to him an open and spacious plain: in whatever place that moon-like Joseph might dwell, it were the garden of Eden, though in the bottom of a well: in your society, O charmer of my soul! hell would seem to me a paradise; with you, O ravisher of

my heart, a dungeon were a rose-bower ; (alluding to Abraham in the fiery furnace).

Both the Múlowí and Sadi were intimate at the court of Abáká-khán, son of Hulakú, who reigned A. H. 663 and 680 at Maragha ; but though familiar with most of Sadi's works, I recollect no notice that he takes of his cotemporary and brother poet : yet, from a sentiment I copy from the Gulistan, so similar to that of the concluding couplet of the above lines, they could scarce have expressed themselves so much alike,

as one not to have borrowed it from the other. Which has done it best, I shall leave to the reader's taste to decide ; and would recommend to our critics, who are ready enough to adopt the cant of enlarging on the verbiage of the Persian poets, to try if any of them can express it half so well, in double the number of words : also, I would recommend the above as an example of the concise elegance with which a Persian poet can carry on a familiar or argumentive dialect. Sadi says,

ای سیرترانان جوین خوش نه نماید * معشوق منست آنکه بنزدیک تو زشت است
حوران بهشتی را دوزخ بود اعراف * از دوزخیان پرس که اعراف بهشت است

You, O epicure, in your luxurious indulgence, have no relish for a crust of barley bread, that is my mistress, which in your eye appears so plain and ugly : by the huries or nymphs of paradise, purgatory would be looked upon as hell, but ask the damned in hell, and they will answer you and say, purgatory is a perfect paradise.

The Múlowí is indeed esteemed the prince of Sufí poets ; and his Masnowí teaches us, in the sweetest strains, that every thing emanates from the Deity or a Supreme Being, and that all nature abounds with divine love. Both Sadi and Hafiz follow the same track ; and though, perhaps, his superior in elegance of language, they assuredly fall short in accuracy of sentiment and sublimity of diction. A learned man was asked, how it came to pass that he and Hafiz differed so widely in their definition of love, the last saying ; که عشق اسان نمود اول ولی افتاد مشکله
“ that the path of love appeared

smooth at our outset, but we soon found it full of asperities and difficulties ;” while according to the Múlowí, “ Love appeared at once as a murderer, that he might terrify all who entered his pale :”—the learned man promptly answered ; “ the Múlowí discerned at first, what Hafiz found out only at last, and that to his sorrow !”

Within its ancient territory Bá-mí contains more antiquarian remains, cut in rock and chiseled in granate and marble, and images of much superior bulk to those of Egypt ; and, allowing for that bulk, of equal and perhaps more appropriate symmetry than our *much-worshipped idols* of Greece and Rome. Of what they were upwards of two centuries ago, the following particulars of Hassan Anjú, then an eye-witness, must interest ; and from the accounts of late travellers from Delhi and Benares I have myself conversed with, they are little the worse now.

مرخ بت و خنک بت آن دو بت است که در زمان جاهلیت مشرکان
در موضع بامیان از مضافات کابل که در سرحد بدخشان واقعست از سنگ
تراشیده و از کوه او بخته آنرا می پرستیده اند و بتازی آنرا یعوق و یغوت
خوانند و بعضی منات و لات گفته اند و قریب باین دو صورت صورت

دیگر هست که بشکل پیر زنی از آن دو صورت خردتر که نام نسرم باشد و بعضی ستوا خوانند و این صور از غریب و عجایب روزگارند گویند که بلندی هر یک از آن پتجه و دو کر بود و میان این صورتها مجوفست چنانچه از کف پایشان راه راست و نردبان پایها کرده اند که بجمیع جوف آنها توان کشت حتی سر انکشتان دستها و پایها و در فرهنگها مرقوم است که سرخبت عاشق خنک بت بوده

The Farhani Tihángúl says :

The Sorkh-bot and Khing-bot, or red and grey idols, are two images cut out of solid rock and attached to a mountain, which the polytheists of the territory of Bamiyan, in those parts of the province of Cábul bordering on Budakhstán, had in the days of ignorance worshipped : they call them in Tazí Yawoc and Yaghos or Yaghothi ; and some say Manút and Lát : near by those two idols there is another image resembling an old woman, but less than those two, and called Nasrom by some, and Sutwá by others. Those idols are the wonder and miracle of the times, the two largest being said to be fifty-two Yaz or yards high, and hollow throughout, with passage and steps, so as to admit a person to walk all over their interior, except into the toes and fingers. Other Farhangí, or dictionaries, call Sorkh-bot the lover of Khing-bot.

Again, the Ayíni Akbarí describes one of the large images as eighty ells and the other as fifty ells high, and as standing erect and cut in niches out of the solid rocky mountain, and so as to be sheltered in some measure above from the weather. Mohammedans, that is the Persians, call them Gil-shah گلشاد or Adam and Eve ; the Hindús, B'hím and his consort ; the followers of Búdha, Shahama and his disciple, and others Sheth and his son, whose tomb the natives at this day point out near Balkh ; and they properly enough distinguish between Balkh Bakhárá and Balkh Bamiyan ; also Diodorus Siculus especially states, that Balkh is situated in a flat low country, at some considerable distance from the hills, and that Ba-

miyan is surrounded with high and steep mountains, and that the last existed before Ninus. Like Thebes in Egypt, Bámí, or what remains of it, consists chiefly of apartments and recesses hewn in an insulated mountain, eight manzils or stages, that is eighty, or perhaps by the windings of the road among the Paropamisian mountains, one hundred and twenty miles N. W. of Cabul. Some

سم و سمچه of the Soms or Somchahs are large enough to have been temples of worship ; but the greater part are only sufficient to afford comfortable dwellings to the natives who still inhabit them. Two miles south of them are the ruins of the city of Ghulghulah, which the early Musselman visitors were more able to demolish, though a dynasty of kings reigned there till Jingiz Khan's جنگیز خان time, who finally extirpated them. Many of the hills, both towards Badakhshan and Balkh, have similar excavations and particularly Mohi on the Balkh road. Alluding to its similarity to Thebes, it is curious that Diodorus Siculus (who in trusting to Ctesias, and he in having long resided as a physician at court, had better opportunities of knowing Persian history than Herodotus and the earlier Greeks) is wonderfully correct in his oriental accounts, states, that on one of the statues on a tomb contiguous to that city was this lofty inscription :

I am Ozymandyas, King of Kings, (the real title of the Persian monarch) ; let

him who would know how great I am, and where I repose, surpass my works !

And he adds : " another sculpture on the walks of the same mausoleum commemorates the triumph of this king over the insurgents of Bactria or Balkh."

Was this the mausoleum of Cambyses, clearly a corruption of Kám-bokhsh کامبخش another of the titles of Ispindiyyar, and by which he is recognized as the conqueror of Egypt and the destroyer of its idols ? And of the same heroic character might not the Sorkh-bot and Khing-bot of Bamí have also been a memorial, which, huge as those images of Thebes

appear to the Greeks and us, so far exceed them in colossal magnitude ? Nor let any petty critic quibble at Ispindiyyar having survived this expedition into Egypt, and been buried with his forefathers in his native soil ; for it has been ever common in the east for kings and great men to prepare their own tombs, and often at different places, as we have an example in Nadir Shah, who according to my friend Abd-al-karim, had one made for him at Mashed

مشهد and which a cotemporary wit was desirous of his occupying before he himself seemed to wish it :

همه غزل و جهان پر نام تست * زمیش اینست خالی کان جام تست

There is no Ghaz'l or song without your name, and the universe rings with your fame, only this goblet of your carcass stands in want of being replenished with its wine.

We have all heard of the rooted aversion that Musselmans have to all manner of images, whether ornamental statues or worshipped idols ; and it must astonish travellers to find any where they could reach and destroy them. In its plenitude Balkh was also an appendix of the Moghul empire, and is of course an object of interest with the English. Whenever the Moghul armies passed that way, those images, which they could not reach to deface with their hands, received a few cannon shot ; and Aurangzib on one occasion brought up his whole top-khanah توپخانه or artillery park to assail them ; when the story tells us, " having struck one of them in the thigh such a flood of blood issued from the wound as had well nigh deluged his whole army !" However this might be, being equally superstitious as he was fanatic, a dream he had that night prevented his renewing the attack ; and this account, however extravagant otherwise, is a proof

of the magnitude and sublimity of those two images. What makes it probable they are Persian monuments, the head-dress of the male figure is similar to the two colossal figures we see half buried at the

Tokhtah Rostam رستم تخته near Istikhar, having the same bushy appearance of hair. Whoever were the original occupiers of it, all accounts agree that the antient territory of Balkh Bamí included Sejistam on the west, Bakhara and Sammarkand on the north, Badakhshan to the east, and Cábul, Sind even to the banks of the Ganges, on the south ; and no spot seems better to correspond with the seat of Paradise, according to our scriptural as well as the Mussulman accounts of that residence of innocence and bliss : and tradition tells us that Abraham resided there before he removed with his father to the westward ; but Mussulmans again confound him with Zartasht. If ever such a dynasty as the Mahábadian of the Dabistán existed in Persia, it must have reigned at Balkh Bamí ; but Malcolm and our other journalists are again in error by supposing that Mohsan Fání is the

only Persian writer that notices such a race of Persian kings, for Firdousí referring to it in a conversation between the Símorgh *سمرغ* and Cahramán *قهرمان* makes that fabulous bird observe, "that she had lived to see seven floods, and that a perfect void succeeded each:" alluding to that series of fourteen chronological cycles or periods, half of which, according to the antient Persian, as well as Hindu and Egyptian fables, is elapsed and half of them to come. On many such occasions we cannot but admire the address of Firdousí in disposing of such romantic stories, which as a true historian he is under the necessity of noticing, and putting them into the mouths of beings as fabulous, to narrate them.

On reading such hyperbolic imitations, we must still be the better pleased with Moses's more simple relation of truth and revelation, in the creation of our world and in the deluge of Noah. On a warm summer evening, as our common and first parent Adam stood contemplating the starry expanse of the sphere of heaven; and

as the moon, two days in wane, first lighted up the gloom around him; and as he afterwards, on a clear frosty day, sat enjoying the warm rays of a noontide sun; he could not miss admiring the magnificence of those prominent works of his hands and the goodness of their maker: but had fourteen moons burst at once upon his view, or fourteen suns distracted his attention, they could scarce have struck him with that marked wonder and surprize. Thus our Scripture account of the formation of the universe out of chaos, of the creation of man out of dust, and the duration of the antediluvian world, is simple and grand, as well as that of the deluge or universal flood, the earth's resuscitation in the race of Noah, and the confusion of languages on the impiety of the building of Babel; but the fourteen creations, the floods of oriental exaggeration, their continuance of millions of years, and the wars of the Titans and giants, whether Hindu or Persian, Grecian or Roman, add not to our ideas of their sublimity and greatness!

(To be continued.)

To the Editor of the Asiatic Journal.

SIR:—It has been said, that to our connection with the East are to be attributed the gigantic strides which luxury and voluptuousness, two evils, the sure attendants of opulence and prosperity, have been making, within this last half, or rather quarter of a century, in Great Britain. Fashion, being a tyrant, models the national manners to suit her arrangements, and compels us to submit to a host of modern innovations.

To begin with what has of late become a very popular topic of conversation, I mean tea: I can recollect the time, Sir, when to-

wards seven o'clock in the evening, a fine portly kettle, or elegantly formed tea-urn, made its appearance in the drawing-room, accompanied in its progress by an agreeable hissing sort of murmur, and surrounded by a dense cloud of steam; agreeable prognostics of the pleasing ceremony about to take place: and now, Sir, with what pleasure do I recur to the scene which followed! How shall I describe the interesting confusion of gossips, drawing their chairs towards the table; the delightful aromatic fragrance, dispersed around by the reluctantly expanding

leaves; the agreeable buzz of incipient chit-chat; the gradual repletion of the porcelain cups; the snowy rocks of submerged sugar, dissolving in fantastic shapes, like an *avalanche* that has rolled into a lake—alas, Sir! I find my subject is hurrying me away: *Quid verbis opus est: tempora mutantur*. Let me call your attention to the present aspect of affairs; *nihil prisci et antiqui moris*. About seven o'clock,—seven do I say, about half past nine or ten,—the gloomy partakers of this heretofore exhilarating beverage (of the male species) begin singly, or in pairs, to make their appearance in the drawing-room, round which the ladies are already seated; when lo! to each is brought a cup of half cold *slop*, made by a careless servant in a neighbouring room, where the orthodox mode of making tea is altogether disregarded*; where the various cups are intermixed, in wild confusion; and whence the liquid produced has a strong tendency to bring into disrepute an article of high and established reputation. But this, Mr. Editor, is but one, forming a part of a grand system of innovation. I have reason to believe, and from high authority, that they are actually making an attack upon that social, agreeable, and healthy meal, a breakfast, by the introduction of footmen, who, it seems, are to make the tea at a sort of bar, (*risum teneatis!*) and serve it to the company; thus destroying, at one blow, that hilarity and entertaining intercourse, which has hitherto attended this pleasing repast: not to mention that the mistress of the house is thus deprived of the fair *dignity* and *patronage* of her *place*, and that, besides, not a single opportunity can be thus afforded to the circle, for

discussion and criticism upon the article of which they are partaking*.

I perceive, that my indignation is causing me to trespass upon your valuable columns, to a greater length than I had originally intended; I shall therefore, reserving many observations for a future opportunity, at present merely trouble you with a remark or two upon the wild outrageous length to which they are now extending the time for social intercourse of an evening. What would be the surprise of some of those ancient members of the House of Commons, who, we learn from Clarendon, “met for business at eight o'clock in the morning, and closed at twelve,” could they rise into existence and *dine out* with some of the present senators at seven, eight, or nine, p.m., or breakfast with a friend between two and three o'clock? The evil is becoming universal, and there is no getting from a theatre much before half past twelve or one o'clock. The French may well say, “we understand these things better *chez nous*.” Having been lately at Rouen, I observed, with equal surprise and satisfaction, that by half past ten o'clock the theatres were not merely closed, but from the “solemn stillness” around, that all the inhabitants of the city were, probably by that time, “buried in sleep;” and it is notorious, that even at Paris, you may be present at a play, and comfortably in bed, before eleven o'clock. In the hope, that some of your fashionable readers may be induced, from these observations, to relax a little in their system of innovation,

I remain, Sir,

Your very humble servant,

TRAGULA.

* Tea should stand five minutes after the water is poured upon it; when the greatest proportion of their aromatic power will have been given out by the leaves.

† The edges of the leaf are obtusely serrate, excepting at the base, which is entire. The apex is emarginate; but an opportunity of examining this latter point does not often present itself, the leaves being frequently broken.

To the Editor of the Asiatic Journal.

SIR:—Having devoted much consideration to the project of repealing the usury laws, and removing the present maximum for the rate of interest, one of the measures now before parliament, I am anxious to offer, through the channel of your miscellany, a few remarks on some of the radical points belonging to the subject; for I am not bold enough to request the full range of as many columns as a complete essay upon it might fill. At the same time, this important question for the legislature seems to fall within the circle of your general plan in two ways; first, by the manner in which the repeal of the present law might affect the market price of property invested in long established funds, *e. g.* India stock; for should it become an affair of course to get in this country, six, eight, or ten per cent., by lending disposable capital on adequate security, the proprietors of stock yielding a high return in dividends—not as interest, but as commercial profit—and who have intermediately purchased their portions of such property at prices above par, or exceeding the amount of the original capital, could never replace their purchase money by selling out. As the consideration for their shares was augmented by the relative effect of the present law; so it would be depressed by the repeal of it, or by making a high rate of interest on the mere loan of capital legal. Secondly, a business of universal concern at home must excite an agitating sympathy in the dependencies of the empire. If the state as a body, and its subjects as individuals, are to bid against each other at the money-lender's auction, the high rate of usury in India will not descend to meet the rise in Britain, but become more onerous.

There are two classes of people who are eager that the bill which

Mr. Serjeant Onslow has once more introduced into the House of Commons should pass into an act: those who have money to lend, and expect to make fortunes by exacting high rates of interest; and those who want to borrow, and expect to reap ease and felicity by sowing their remnants of property in the field of extortion.

In discussing this branch of civil polity, it is my deliberate purpose to avoid appealing to the authority of any writer on political economy; because those who adduce the arguments and opinions of Adam Smith as principles and maxims on every other point, will allow no weight to his reasons and conclusions on this. Mr. Cooke, the author of *Thoughts on the Expediency of repealing the Usury Laws*, says that the opinion of Adam Smith on this subject is diametrically opposed to the whole spirit of his work; and so indeed it is. But this can embarrass only the disciples who derive their doctrines from the scriptures of the same master. Believing, as the writer of this letter does, that what is now understood by political economy has no claim to be called a science; and that it is such a sort of labyrinth, that if an enterprising thinker wander boldly into the centre, the paths are so arbitrary, and the divisions so easily leaped, that he may force his way out on any side; it is not incumbent on him to reconcile the general rules of political economy with its exceptions. Were the facts which it cites from the histories of polity and commerce separated from the metaphysical involutions by which their proper indications are obscured, and arranged in classes as materials of statistic knowledge, they might be referred to safely; and then, if deductions were built upon them by the legislator, the connection between the premises and conclusion would be direct

and tangible. But the present rolling sphere of political economy is so incongruous a mass of terrene atoms, clouds, air, meteors, and vacua from detonation, that the more characteristic name for it would be *Political Ontology, or the Plain Art of Legislative Providence for all the People, mystified by pure and abstract speculation*. Hence we successively have new causes of distress artificially created and universal benefit always in prospect, mathematics and progressive misery, metaphysics and tranquil moonshine.

Mr. Jeremy Bentham was one of the first of our political economists who undertook to demonstrate the public utility of unlimited usury, and the morality of unlimited extortion. Many persons treat the speculations of Mr. Bentham as if, like the virgins in the Scripture parable, five of them were wise and five of them were foolish; or as if, like the two women grinding at the mill, one is to be taken and the other left: but the truth is, his opinions on universal suffrage and unlimited usury are all parts of a uniform system, and emanate from a mind of the same character. There is one epithet which would draw that character at a single stroke; but a passage in St. Matthew (v. 22), forbids me to express it. But looking again at that passage, and recollecting that St. Paul applies the same epithet to the infidel who reasons on false data, I apprehend that the restraining injunction was only meant to protect from wanton reproach the afflicted individual in whom the defect of an infirm mind literally exists, and not to shield from deliberate rebuke the ambitious philosopher in whom the defect is but relative; that is, a measure of incapacity detected by comparing his display of talent with his pretensions to genius,—his exact portion of common sense on his own principle of the universal equality of human minds,

with his singular fertility in state projects.

Political economy was originally synonymous with "political management," statistic knowledge was occupied in the sublime cares of social providence: but the *laissez faire* system inculcates on governors the easy duty of not managing at all; in order to make their high trust a sinecure, they are to extinguish the privileges of the weak, to abolish the restraints which moderate the advantages of the strong, and to legalise oppression and extortion. What is now called political economy has usurped the name without the credentials of a science. It has involved tangible things accessible to the line and plummet, and material objects ponderable in the scale of daily experience, in a speculative labyrinth as uncertain as metaphysics. The professors of this school teach as incontestable maxims of commercial legislation, to be applied in all civilized states, mere generalizations, arrived at by passing over many of the peculiar institutions of every national society, by disregarding the effect of those internal ranks and mutual links of relation and dependence which vary in every country, by allowing nothing for the different tenures and subdivisions of property—the advantages of those who hold large acquisitions in the demesne of the soil—the disadvantages of those who have not a foot of land to stand upon, and labour for their daily bread—by not giving due weight to the connecting gradations between those two classes: the masters of unemployed money, the holders of annuities, the proprietors of capital invested in trade or manufactures, or scattered like seed in acquiring a liberal art or profession. All those different interests require to be supported by the protection and balanced by the mediation of the legislature. Every one of the

maxims which statists venture to lay down, ought to be examined like a candidate for a diploma, before it is admitted to have any local authority; and it never can pretend to universal application.

As many a mariner escapes the tempest and the quicksand, to owe his destruction to the demonstrations of false lights on a semi-barbarous, or illmanaged reflectors on a friendly shore; so the vessel of the state, which has weathered, not a single storm, but a long season of storms, may be shipwrecked in the harbour of peace through the delusions of political economy. Confident theory stands opposed to disregarded experience; and no one suspects that in the repeal of many of our ancient laws, the foundations of national prosperity have already been subverted. It is too late to proscribe this branch of study as holding perfidious prospects. It must be pursued. The theory that is gradually corrected may ultimately become right in all its parts; and the theory that is right in all its parts will coincide with practice. Meanwhile there is no safe course but in discarding political economy as a system, and in letting the rival claims of its professors, to dictate to the legislature from chairs of authority, lie in abeyance.

I shall now endeavour to answer some of the arguments for unlimited usury. The fundamental one is, that every individual is intitled to the full enjoyment of his property, of whatever species consisting. *Answer.* The regulation of the rate of interest does not compel the possessor of disposable capital in money to lend it; it leaves him the full enjoyment of his money, if he prefer retaining it in his own hands to placing it out on loan.

2. Every species of property other than money is comparatively unrestricted. A man may dispose of his fields, corn, houses and cattle, goods and manufactures, at

his own discretion; but if his property consist of gold or silver, the terrors of human legislation are arrayed against him, to prevent him from disposing of it for his own benefit with equal freedom.

Answer. If the money is to be absolutely exchanged, and the property transferred for other articles, he is as free from restraint as the opposite party with respect to the terms of the bargain; therefore it is only in the case of houses, cattle, or other property which is in itself *useful or productive*, being hired or let out, that any comparison can be made with the *inherent* value of money received on loan, and the double engagement made both to pay for the temporary use of it and to return it. Now a house will not endure for ever; nor are horses now-a-days, like those of Achilles, immortal: there is a wear and tear going on under the most careful occupation of the former, or exercise of the latter; therefore more should be paid for them than the interest of what they cost. But the man who lends money on adequate security, after receiving the stipulated profit on it for a series of years, may have it returned to him, or leave it to his heirs, unreduced and unimpaired; so that he may be said to *use* it while he enjoys the interest paid by the borrower, and by throwing all the risk of accidents to the capital on the borrower, he makes the treasure, which might be fugitive under his own custody, immortal. There is therefore a material difference between hiring money and hiring articles which wear out. But the interference of the legislature, in preventing the borrower from paying more for the use of the money than under these circumstances it would be generally worth, must be justified, not on the ground of taking care of the interests of an individual, or of protecting any number of individuals from making improvident bargains, but on the broader principle of looking to the manner in which the industry and

the prosperity of the community must be affected, if the drones of society were encouraged to lie inactive, and without enterprise, or the exercise of any one talent but that of making an unfair bargain once in a few years, to extort from the heirs of property, or from the cultivators of the various fields for industry and adventure, in return for safe keeping as well as employing their barren heaps of mammon, the greatest share of the profits, or more than the profits that can be made in trade, while they encounter none of the risk. The higher the rate the commercial adventurer pays for the interest of borrowed capital, the more liable is the establishment to fail. On the other hand, if the maximum fixed by law for the sake of the community, is not high enough to induce an individual capitalist to lend his money, he may embark in some commercial concern or public undertaking; and as he will have no interest to pay on his own stock, one obstacle to the free working of a great machine is removed. But there is peril in every thing but lending money on good security. To pursue gain, and encounter any risk, is what the heartless miser abhors. Unlimited usury would enable him to realize the first with rapidity, and to throw the second on the too sanguine speculator: under such a system of legalised rapine, there would be more merchants wrecked on the strand of bankruptcy; but the rich money-lender would exult amid the convulsions of credit in his safe mortgages.

I shall not, in my present communication, take any notice of the prohibition of the Mosaic law against taking any usury except on a loan to a stranger, *i. e.* a person not a Jew; nor of the progressive reductions of the maximum under the Roman law, till usury was entirely suppressed; nor of the universal prohibition which prevailed in Christendom during the

early and middle ages; nor of the same principle in the Mohammedan law; because the experience of all ages and countries declares, that when the prohibition is total, neither moral considerations, nor legal penalties, will prevent the iniquitous usurer from exacting interest at exorbitant rates, calculated rather to ruin than to relieve the borrower.

3. The difficulty which persons possessed of real estates find, in raising money on mortgage, is attributed to the usury laws. *Answer.* As far as this difficulty has prevailed since the peace, the high price of the funds proves that it must be attributed to some other cause than the legal maximum of interest. During the war, indeed, it might be attributed to that restraint, because the loans negotiated by government generally secured to the lender a fraction above five per cent. But how would a similar effect be obviated by introducing unlimited usury? What-ever were the general rate, if the public service should require a loan, the demand is so great, and the necessity so imperious, that the finance minister would be obliged to give the contractors something more than the current rate; just as the state has frequently agreed to a slight excess beyond the maximum rate of interest under the present law; and thus so much capital being absorbed in the new created funds, the person desirous to borrow on real security under a settlement, could obtain no loan on any terms compatible with raising portions for younger children, reserving a liberal income to the tenant for life, and clearing off the incumbrance in time for an unembarrassed repetition of the same process. So that by the effect of unlimited usury, the trustees under a settlement could not borrow many times and keep the estate in the same family. "Time is a great innovator." I have seen many legislative changes intended to consult

the new circumstances of the age, but in reality opposed to its requisitions.

If the alleged difficulty of obtaining money on mortgage does exist, the hint of an alternative may be acceptable to conveyancers drawing settlements, and to the parties negotiating family contracts. In order to make a provision for younger children, suppose that, instead of raising the stipulated sum by mortgage, the trustees were empowered to grant a lease of a proportion of the estate, say the fifteenth part, for ninety-nine years without impeachment of waste, at a pepper-corn rent, receiving a consideration adequate to the value of such a lease. In three or four generations, the lease first granted would fall in again to the possession of the family; and supposing a marriage settlement, and a similar lease under it, to occur once in every generation, the diminution of the rental would not altogether so abridge the income of the successive tenants for life as the incumbrance of as many mortgages, with the obligations both of keeping down the interest and repaying the capital on each.

4. The convenience of government will not be affected on important emergencies by the repeal of the usury laws; because it appears, on reviewing the pecuniary transactions of the Chancellor of the Exchequer, that *the usury laws do not exercise on them the remotest influence*. Loans are negotiated, funds are created, exchequer bills issued, without the least reference to the legal rate of interest. *Answer*. I have partly anticipated this argument in pursuing the collateral branch of the third. But the assertion that the usury laws do not moderate the interest on the loans to government is not correct; it is true, indeed, that the letter of those laws cannot vacate transactions which have the sanction of parliament, under which a small excess

above five per cent. is sometimes given. But without their general operation, the competition of private borrowers might have compelled the state to give seven, eight, or ten per cent. Could our national debt have reached the present nominal amount under a system of unlimited usury, the annual interest on it might have been twice what it is; but that were impossible, for before the capital of the debt could have reached its present amount, the country would have proved unable to support the burden of the interest, the engagements to the public creditor must have been broken, and the national credit and resources exhausted.

5. Let us see how the usury laws affect the borrower, who either having only a life interest in the security offered, is obliged to purchase the capital wanted by granting an annuity, or being unable to borrow on absolute property at the maximum interest permitted by law, grants an annuity as an indirect way of increasing the interest. It is part of the contract in either case, that he charge himself with the expense of insuring his own or another person's life, to secure the return of the capital to the lender. This whole annual engagement amounts to fifteen or sixteen per cent.; whereas, had the usury laws not existed, he might have obtained the same accommodation at six or eight per cent. *Answer*. In the first case, under a system of unlimited usury, he would equally have to purchase the principal, instead of borrowing it; and as the capitalist might obtain more than the present legal interest from another party, and have his capital returned, this license would operate exclusively to the lender's advantage, and oblige the seller of the annuity to grant it of heavier amount or at fewer years' purchase, and his other expenses would increase in proportion. In the second case, if he obtained a loan at six or eight per cent., he would have to

return the capital. The argument seems altogether to be founded on a confusion of ideas ; perhaps there are not many whom it could mislead had it been entirely passed over. I find various other observations adduced as arguments for legalizing unlimited usury : I have not left them unanswered because I am unprovided with answers, but because they seem but shoots from the main branches, and the *pro* can hardly be stated without suggesting the *contra*.

Our canals, our manufactures, our wonderful machinery, our improved agriculture, are the free offspring of progressive inventions, spirited enterprizes, and judicious undertakings, conceived and matured UNDER THE OPERATION OF THE USURY LAWS. No doubt many capitalists, who have embarked their money in these noble undertakings, might, under a system of unlimited usury, have been lenders to the projectors of less solid and less successful concerns, instead of being proprietors in these—perhaps with greater gain to themselves, and correspondent loss to the public ; and with some convulsive transitions in the real estates which had been guarantees of safety to the barren speculations of cold-hearted avarice. If the borrower fail, however rich the lender may grow, the state reaps nothing, while the managers, clerks, and labourers in the establishment lose their employment. What is the object of the capitalist, who has the heart to desire, and the face to demand, from the relaxed and faltering law, an iniquitous sanction, nothing less than security for the highest rate of interest which he can extort ? Why truly, to reap a certain profit without risk and without enterprize. The proprietor of land, or of a house, who lets it, encounters the possible risk of insolvency in the tenant. The merchant who employs his capital in commercial speculation is exposed to many accidents

which may deprive him, not only of profit, but of a return of the principal embarked in trade. The ship-owner, who lets out his vessel, does not stipulate to have it returned after several voyages as sound and as fresh as when it was launched ; but the capitalist, who lends money upon valid security, is indemnified without the expense of insurance, whatever disaster may inflict ruin on the borrower. It seems, therefore, more reasonable to remedy the defects of the usury laws, and to obviate some of the present means of evading them, than to repeal them. How much weaker are the great springs of credit and finance, in countries where similar instruments to an equable system of loans are not in action !

There is one modification, however, which no writer on the subject has suggested, but which has occurred to the author of these hints as equitable in principle ; and that is, to make a distinction between loans on real and personal security. The maximum on real security might either be lowered to four and a half per cent., or that on personal security raised to five and a half. There might also be a medium rate for money borrowed on bond, as a security stronger than a bill of exchange, and weaker than a mortgage. The inflections of a quarter per cent. in three separate *maxima* would allow a compensation in the rate of interest for deficiency in the security.

It would be politic to relieve the landed interest by taking off the heavy stamp duties on deeds of sale, settlement, and mortgage. The same or a greater amount of revenue is wanted, and must indeed be raised ; but this might be done with comparative relief, by giving the substituted tax another shape, and the burden a different distribution. A man who could carry, without feeling it a grievous load, half a hundred weight on his shoulders, would move very awkwardly with

twenty-eight pounds of lead in each pocket, or with plates of iron in his shoes. If the expense of landed securities were materially diminished, much of the present

difficulty in negotiating or transferring a mortgage would be dispelled. The seeds of prosperity are in the country.

STHENES.

To the Editor of the Asiatic Journal.

Exeter, March 15, 1819.

SIR:—Your excellent register constitutes an useful description of periodical work, which has been long a desideratum, for the purpose of communicating to the inhabitants of Oriental India, and of this country, all that may be relatively interesting in politics, science, and general literature. It contains a leading feature of great interest, or an uncommonly accurate and correct publication of Debates in the India-House. Your reporters must be people of great merit in their line; as the parliamentary speeches (excepting in some instances) are not edited in a style, language, or manner equal to what appears in your register. Within the last four years particularly, the debates in the India-House have evinced much political knowledge and general research. The reasoning is close, logical, and acute; while the language is classical, flowing, and polished. In this new school of oratory, highly informed and sensible men, who may not be gifted with talents of elocution and reply, are induced to come forward more than heretofore in imparting important information beneficial to the subject under immediate debate. This intimate examination, and complete sifting of questions of great political, financial, and commercial moment, and the diligent consideration of their tendencies and bearings on the whole and every branch of the subject, cannot fail to be highly advantageous to the public service. I feel a satisfaction in bearing testimony, however feebly, to meritorious and able exertions, to

which your record has certainly given a degree of interest not formerly so much attached to them; or at least, not so much felt.

When any proprietor has duly reflected on any subject connected with the welfare of the East-India Company, and more especially when men of great experience and information have approved of the results of such reflections, it becomes a duty due to the general body, to state what more intelligent persons may modify, and if in power, may be the useful means of carrying into practical effect. Under this just impression, I shall endeavour briefly to state a few subjects, for a more able consideration by others, better qualified to appreciate the real value and utility which they may be found to be of to the constitution of the East-India Company.

So many, Sir, are now filled with the laudable ambition of becoming Directors of the East-India Company, that three-fourths of them must necessarily remain long in the field before their efforts are crowned with success. We have sometimes witnessed the impatience created by this feeling of long expectancy manifest itself in a manner highly detrimental to the best interests of our general service. When once a candidate is elected, he enters on office with a firm determination of bestowing his utmost attention on every degree of the scale of detail of business of the mighty house he belongs to; and uniformly perseveres, till his more experienced brother directors judge him qualified to fill the highest offices. This cannot be

effected but by going through the regular routine of offices, so admirably arranged, and calculated to render every director efficient in his station, and adequate, ultimately, to take a distinguished lead. On this principle, every director, who has been even a short time in office, is justly deemed an eligible person to remain in a situation for which he must have been judged qualified when he was elected, and for which he must necessarily be more fit than a candidate who has to go through the ordeal of choice, and who is totally unacquainted with the qualifying system of the house. It is also on this just and fair ground, that the Court of Directors feel that they are doing no more than their duty, when they recommend to the proprietors the re-election of six directors who are out by rotation (on a very salutary principle), and whom they have found diligent or able coadjutors when in office. It cannot be expected that four and twenty men, who frequently take differing views of the same subject, can always coincide in sentiments. *A fortiori*, therefore, must we conclude, that six men recommended publicly by a collective body thus constituted, must, in the nature of things, be more eligible individually and generally, than any candidates who may offer themselves with a view of displacing such recommended and tried directors. Thus it appears, that a proprietor cannot, with any justice or propriety (independent of disrespect to the court at large), support any candidate so circumstanced. I do not, Sir, understand that there is at present any intention of running counter to the dictates of reason and good sense; and state the subject, merely in outline, to shew permanently the detriment arising to the service, by a practice sometimes heard of, and only heard of to be reprobated; because it militates against the ge-

neral interest, in destroying, or at least in undermining the confidence which the directors ought to feel in the permanency of their situations, and in the just support of the proprietors.

Let me turn, Sir, to another subject, and endeavour to place it in a light in which it certainly ought to be viewed. The number of votes on our list may, on an average, be taken at three thousand. In general not above the one half of these votes come to the ballot; and to effect that even, many proprietors, anxious to support the claims of merit, or to discharge a debt of friendship or duty, are under the necessity of taking distant journeys at a considerable expence, frequently with much inconvenience, and often with much risk to health. The majority of the absentees, from various circumstances and insuperable impediments, find it quite impossible to follow their inclinations. Those who best understand the constitution of the East-India Company, have concluded, on the soundest principles of policy and good sense, that two-thirds of the twenty-four directors ought to consist of retired civil and military servants, who have filled situations of distinction, or whose talents and services have been marked by merited approbation, through a long and conspicuous course of civil, diplomatic, or military employments. I include, also, principal merchants from India. The other third part of the Court should be very properly composed of the high and respectable class of London general merchants; and of an equally respectable description, retired naval commanders. Now, Sir, the fifteen hundred proprietors who are in habits of attending elections, may, in a great measure, be supposed competent judges of the merits and pretensions of the candidates of the two descriptions last mentioned; but certainly not equally so of the qualifications

and fitness of candidates from the two services of India. In saying this, I of course except such of the fifteen hundred as have served in either line in that country. It is a known fact, Sir, that the proprietors who cannot attend at elections, on account of distance, health, or means, are in general precisely the very persons who ought to be present, being almost all retired servants, who, it must be allowed, are at all times the best judges of the eligibility of candidates with whose character and talents they are perfectly acquainted. If members of the British Parliament are returned by a guarded process of local election, there surely cannot be any rational objection to a modified exercise of similar means applied to the election of a candidate for the situation of a director, in order to avoid the serious inconveniences, and to yield the manifest advantages stated. My plan of effecting so desirable an object is short, simple, and obviously practicable. The general election in April being, as it ought to be, a mere matter of requisite form, is out of my question, which is applicable only to candidates coming forward to offer themselves for filling casual vacancies. Let the intended election, and names of the candidates, be announced in the public papers six weeks previously to the day appointed. Every proprietor of India stock must be palpably known to be such, at least in his own parish and neighbourhood. If he be inclined to vote for any candidate, let him, accompanied by the clergyman and church-warden, present himself before the nearest magistrate, and take the usual affidavit of the amount of his stock, and of the time he has held it, &c. Let him then deliver to the magistrate a certificate, signed by himself, with his proper description and designation under his name, and specifying that he gives his

vote, or votes, to the candidate whose name is inserted in the certificate. Let the magistrate, clergyman, and church-warden, attest the transaction at the bottom of the certificate, noting the place and date of the procedure. The magistrate would immediately seal up the certificate (in a single-letter form) and address it to "*The Scrutinisers of the ensuing Election at the India-House.*" On the day preceding the election, after which day all received certificates would be destroyed unopened, the scrutineers (previously appointed) would open all the addresses to them, and place the votes to the credit of the different candidates. The trifling fees of office in the country no proprietor would for a moment think of; and the expense of the postage of the single-letters might be very fairly charged to the candidates, or rather to him who ultimately proved successful.

As often as I have had occasion to state this important amelioration to reflecting and intelligent characters, in and out of the India-House, it has instantly experienced their decided approbation, on account of its justice, utility, and propriety.

I trust, Sir, that the present Governor General, whose political talents and military skill have achieved such wonders in so short a space of time, will remain in his station sufficiently long to consolidate his splendid conquests. Distant may be the period of the appointment of a successor; and when that must happen, I, and every proprietor of reflection, must deeply deprecate the appointment of any but a military character of experience and talents to a station in its nature essentially military. We have only to look to the two last governments for an ample justification of such precaution. At Madras and Bombay, the intelligent natives do not look for a military governor; but at the head

of affairs, the country powers undervalue any governor general who is not a distinguished military character; and in future such weighty considerations ought, more than ever, to be attended to, as unquestionably the salvation of our oriental empire depends on this very circumstance.

THREE STARS IN THE HOUSE.

To the Editor of the Asiatic Journal.

SIR:—I propose in the following essay to support this proposition; **THE LOSSES INCURRED IN THE PRIVATE TRADE ARE PUBLIC LOSSES.** The profound thinkers, who conduct the theory of trade so well in the closet, have involved us in some costly experiments. I say “us,” speaking as one of the public; for there are no private losses in foreign commerce. The capital dissipated by throwing goods on distant shores without any adequate return, is a deduction from the wealth of the community. So the rupture of a vein, though but a small part of a living animal, is not confined in its effects to the exhaustion of a delicate vessel, but is felt over the whole body, by making the circulation languid, and by communicating depression to the heart, alarm to the nerves, and torpor to the extremities.

The crisis affords a suitable opportunity for comparing those compound machines, and simple instruments of mercantile business—a Chartered Company built on a public basis, and Individual Houses standing on private responsibility; comparing them, both as having intimate relations with the community, and as competitors in the same branch of foreign commerce.

1. How do they respectively affect internal trade and the barometer of credit by their dealings at home; particularly the reputation and stability of houses who supply them with goods or hold their engagements?

When the Company sustain a loss it terminates with themselves. What would ruin an individual is too light a disaster to affect their

general prosperity. As far as the loss extends, it is a diminution of the profits; the dividends to the proprietors will be a fraction less, and there the mischief ends. Neither the manufacturer, nor the dyer, nor the merchant, nor the packer, who furnished to the Company the cargo wrecked, damaged, or anticipated in the market, lose any thing. Suppose the loss on one ship to be £200,000, whether one, or ten, or fifty persons executed the orders for the goods yielding no returns, none of them are besieged by their creditors out of pure sympathy. All of them, in proportion to their share in that transaction, stand and flourish in the Company's stability. But when a heavy casualty falls upon an individual firm, the consequence is not merely the failure of one house, but the failure of several others who are primary creditors to a large amount, and serious losses to many more into whose hands smaller portions of the dishonored bills had incidentally come. These are pleased to have only a skiff sunk, while those who had whole ships drawn into the vortex can find no topic for consolation. Even to have been connected with the unfortunate parties, induces many accelerated applications for the settlement of accounts by which creditors betray alarm. Many houses which are not overthrown by the shock feel its undulations.

2. Which vehicle of foreign commerce affords a guarantee against the mischief of overtrading?

Prudence is no protection where so many competitors may be rash. There are other establishments to-

tally unconnected with the string of failures, who are yet involved in the disaster of running a dead heat with a crowd of unconscious antagonists in a race of blind emulation. Those who enter horses for the stakes at Newmarket, know at least when they start, how many competitors they have. But this race to and from India is not round a course which the eye can measure, but from every part of a circumference of twenty-five thousand miles to a stage in the centre. After running three or four thousand leagues, the sanguine crowds reach the winning post at one moment, and nobody gains the plate. Leith, London, and Liverpool, three of the cleverest colts in Europe, came in together for the *Gossipion* stakes : the judge cannot name the winner.

Knowledge is no longer power : speculation has paramount authority. We have read much of "productive labour" in those books in which the sources of the "Wealth of Nations" are investigated. Are the channels to wealth navigated with more success since the sources have been discovered ? What labour can be more unproductive than bringing spices from India in order to carry them back again ? The inverse mode of reimportation is just as common : we may imagine the original idea of "trading with ourselves by circumnavigation" to have been conceived by a professor of this branch of "human wisdom," at a moment when he was inspired with a bottle of London particular Madeira. The ideas, flowing thence by association, are all realized. Now we can have London particular cyder, London particular japan tea-boards, and London particular flannel petticoats, all improved by a voyage to the East and back. The Bombay Price Current of July 1, closes with the following quotation : "It may be stated that assorted investments of goods from England and other parts of Europe, as also from

"America, are selling at a discount of 25 per cent." And I have observed in your journal many notices to the same effect from other Oriental markets of subsequent date. Another of the sources of wealth which European wisdom has opened, is that of "*cotton-gathering*" from every accessible emporium ; this discovery had its origin from one of those pleasant reveries in the closet, which, in familiar language, is called "*wool-gathering*." It may be said that these unprofitable speculations will never be repeated : not perhaps by the same parties, nor always in the same identical articles ; but in a free trade with so remote a region, how is the supply to be proportioned to the demand ? and who will seal and ratify his own exclusion to accommodate his rivals in the market, or to make a patriotic sacrifice to the community, or to yield undisputed advantages to American traders ? Looking at the blessed effects of making experience bend to illusive theory, I cannot but compare Oriental commerce without politic restraint, to the freedom of a kite, which, at an immense elevation, is released from the supporting string.

An establishment like that of the East-India Company, of which the proprietors are distributed through a large portion of the community, residing in every part of the empire, could not, even while it enjoyed the privilege of an exclusive trade to the East, be termed with any propriety a *monopoly*. It was instituted in order to be the organ of national commerce with that division of the world, of which the remote situation will always make it essential that unity of direction, and a combination of advice from all parts without rivalry, should assign the amount and distribution of stock and investments, of exports and imports, in order steadily to maintain such an interchange of commodities as may add to the riches and avoid wasting the resources of the country.

The compound word *organikoinopoly*, equivalent to the organ of national commerce, might not unaptly represent the union of exclusive privileges with public functions.

In the same proportion as competition in the internal trade is beneficial to the community, so competition in external commerce may, under the especial circumstances of India and China, be proved by experience to be of an opposite character. With China, in particular, were individuals of another country to trade under the disadvantages of rivalry, as that astute people have given foreign commerce a national character and public sanctions, the advantages

resulting to the united body, and the disadvantages to the isolated strangers, would be parallel to what is experienced in military encounters between firm combination and loose independence. Individuals cannot cope with a nation.

Knowledge was the founder of Britain's wealth: speculation is the prodigal heir. It may cost the country many more unproductive voyages, and public credit many more shocks, to induce the sanguine spirit of misdirected enterprise to return into the former tried channels of trade. Meanwhile the extensive losses incurred by the private trade, are so many strokes of public palsy induced by departing from a sound regimen. PI.

BIOGRAPHICAL NOTICE

OF THE

LATE MAJOR GEORGE WILLIAMS,

Of the Bombay Establishment.

WE are unwilling that the loss of this worthy man and good soldier, who died at Bath on the 4th of January 1819, should be recorded in our miscellany without a respectful notice of some of the particulars of his useful life, as far as the materials furnished by a literary friend extend.

He went to Bombay as a cadet in 1783, just after the cessation of a long war in India; a state of affairs which made promotion so slow that he, in common with many of his cotemporaries on that establishment, did not obtain the first commission of ensign earlier than 1788. The first years of Mr. Williams's service were passed in the garrison of Surat, in regimental duties; the only duties that can lay the foundation of military eminence. Proceeding in the comparatively quiet tenor of this noiseless life, Mr. Williams, by strict attention to his duties of soldier and citizen, gained the respect and esteem of his superiors and of his associates. All that survive of the latter class will call to mind, with feelings of friendly sorrow, the even cheerfulness of Williams's disposition, his unrepining spi-

rit, and the comfort and pleasure which his presence always diffused among them; and this under the pressure of pecuniary privation and stagnated professional prospects, that required a more than ordinary share of mental elasticity to bear up against.

On the reformation of the Bombay army in 1788, by General Sir Wm. Meadows, Governor and Commander-in-chief of that presidency, through the instrumentality of General Hart (now M.P. for Donegal, then Major Hart, Adjutant General of the Bombay army) Mr. Williams obtained his ensigncy; he was removed to Malabar on promotion to lieutenant early in 1789. Here he remained, we believe, several years, and served in those distinguished corps, the Bombay European regiment and the Bombay grenadier battalion, in the campaigns in Mysore under General Sir Robert Abercromby, who commanded the field army employed against the dominions and capital of Tippoo Sultan. After serving on the regimental staff of his corps, he was selected by General Bowles, commanding officer in Malabar, as his military secre-

tary, which situation he continued to hold also during that officer's subsequent command of the forces of Bombay.

A change in the command of that army threw Captain Williams off the general staff, and (having in 1798 gained the rank just designated) he came to England on furlough for the benefit of his health. In 1801-2 we find him again on the general staff of the Bombay army, as Major of brigade to the contingent then serving in Guzerat, under the command of Col. Alexander Walker, in cooperation with the government of his Highness the Gaikawar. In the confidential discharge of a pacific and delicate mission to Mulhar Row, on that chief's own invitation, Captain Williams was treacherously detained in the fort of Kurree; while a furious attack was, with almost unexampled perfidy, impelled on the small body of troops under Colonel Walker. The utter defeat and dispersion of the forces of Mulhar Row, he being made a prisoner, effected the release of Captain Williams. As a reward of his services and sufferings he was appointed by the Bombay government, Deputy-Quarter-master-general to the subsidiary force in Guzerat.

The Gaikawar ruler of Guzerat having ceded the important fort of Kaira to the East India Company, Captain Williams was appointed to receive charge of, and to command it. The cession was obtained under circumstances that made its surrender to the English a matter of uncertainty and anxiety; and it required much circumspection and management to ensure success to the enterprise, as it may be termed, of taking possession. This was effected, however, in the most complete and satisfactory manner; and Captain Williams continued in the military command, charged also with the

civil jurisdiction of the district of which Kaira is the capital, until the General Mahratta war in 1803. He was then selected to direct the operations of a body of Gaikawar cavalry, intended to act in cooperation with the Bombay army under Major General (now Sir Richard) Jones, and the Bengal army under General Lord Lake in the north of India. But after proceeding some marches as far as Rutlam, this ill-organized body of horse, owing to the mismanagement or treachery of its immediate leader, Meyput Row, refused to advance any further, and returned into Guzerat. Captain Williams, altogether unaffected in reputation by this defection, which was entirely beyond the scope of his controul, then joined the army under General Jones, advancing to the siege of Burtpoor, and was appointed Commissary of Provisions to that force, with which he returned at the peace to Bombay; and in 1805, having been promoted to a majority, to England. He retired from the service in 1807.

Major Williams was distinguished by the usefulness of his qualifications, rather than by any portion of brilliancy or *éclat*. His character was that of plain, steady, unpretending good sense, influencing a strict propriety of conduct into habits of order and prudential arrangement. His superior officers yielded him, while on their staff, their entire confidence, and they never had cause to withdraw it. The same may be said of his private friends; not one, we may venture to say, who had the pleasure of being so classed, but will confirm our opinion of the strength and solidity of his understanding, of the undeviating kindness of his disposition, and of the honesty, warmth, and benevolence of his heart.

DESCRIPTION

OF A

NEW ISLAND CALLED EDMONSTONE'S ISLAND.

(Extracted from the Journal of a Trip to Saugor.)

WEDNESDAY the twenty-eighth of January 1818, weighed at 8 A. M. from the vicinity of the Reef Buoy, and stood to the north-east for the buoy that marks

the entrance to Lacam's Channel: crossed the middle of Saugor Sand, and made Light-house Point about noon, and the buoy we steered for; changed the course

to N. W. by N., and soon came in view of the opening of Channel Creek. Kept a westerly course for Edmonstone's Island, off which we anchored about three o'clock; remained here the rest of the twenty-eighth and the whole of the next day, for the purpose of examining the place.

Edmonstone's island, the object of our expedition, is an interesting instance of alluvial formation, and of the rapidity with which the great rivers of India are adding to its continent, in the upper part of the Bay of Bengal. It is, in fact, at present little but a sand-bank, but is evidently making rapid strides towards a higher character, and has grown into its present extent and elevation in a very short period; four or five years ago it was not in existence, and was first brought to notice by the marine survey of Saugor and the new channel in the latter part of 1816. It lies in about lat. $21^{\circ} 35''$ and long. $86^{\circ} 20''$ and occupies the position laid down in the charts as that of Saugor Shoal, or a shoal on the eastern edge of the upper part of Saugor Sand. The situation of this sand, between the mouths of the Hoogly and Channel Creek, is sufficiently illustrative of its formation. The gradual and constant drifts brought down with the ebb and current from those two extensive issues, and thrown by them, as they rush to the sea, to the east and west, have occasioned an accumulation of sand, rising at last above the surface, and the formation of a distinct and manifestly growing island, under shelter of the main land, which separates the two openings of this branch of the Ganges.

Edmonstone's island is now about two miles long, from east to west, and about half a mile in breadth from north to south. The western extremity is thrown up into small hillocks, some of which are considerably above the level of the sea. The whole island, indeed, rises with a rapid slope from the beach, and the centre is sufficiently above high water mark to be beyond the access of the ocean, unless in one of its most furious moods; the southern shore, which is washed by the main sea, is tolerably straight, and consists of a fine, firm, and shelving sandy beach; one which is highly favourable for sea bathing: the northern

coast is very irregular, being broken into bays, and stretching out in narrow tongues in many places, which form, indeed, with other sand-banks, now beginning to show their backs at low water, a series of shoals across the channel that now separates this island from Saugor. The width of the channel is not above four or five miles, and the greater part of it is too shallow for the passage of vessels of even small burthen; it is far from improbable, therefore, that in the course of a few more years it will be completely filled up, and that which is now Edmonstone's island will become the southern boundary, where

"Sagar breasts the bitter tides."

The steps by which a bank of barren sand is becoming every day, nay every instant, adapted to the maintenance of animal and vegetable life, are here to be observed in their earliest stages, and the infant operations of nature, the nascent produce of alluvial deposition, laid open to our view. The edges of the island are strewed with the trunks of trees, with branches, leaves, pods, and seeds, washed off from the opposite coast, and deposited by the retiring tide: they are seen also in vast quantities floating across the narrow channel, and bearing a tribute to the new formation. So considerable is the quantity of timber brought off in this manner, that some of the boats, employed to bring fire-wood from the Sunderbunds, prefer coming to Edmonstone's island to pick up and load with the scattered pieces which they find there. Such pieces as escape their search decompose, and furnish a supply of vegetable mould, in which also the decayed leaves, thrown here in great numbers, assist. The seeds, it would appear, retain in many instances their vitality, and such as grow in sandy soils are spontaneously sowing themselves; some of the branches, also, are taking root. The island is covered in many places with the excrement of sea birds, affording consequently both soil and manure; and the northern shore is visited by myriads of a small species of crab, whose exuviae will not be wasted in nature's economical manufacture. The central part of the island already presents the appearance of verdure, and at a distance seems to be covered with a thick and brilliant grass; some grasses have

actually taken root, and there are several tufts of the long *càs* (saccharum spontaneum) in a very thriving condition. A number of small trees and shrubs are also springing up; amongst which are several of the *manhy* date, and of the *aal* (morinda), the large triangular seeds of which last are scattered everywhere about in vast abundance. There is also a considerable quantity of the *noona* lag, or purslane (portulacca olearacea), and a kind of bean. The principal plant, and indeed the principal instruments in this alluvial formation, are however the *ipomea pes capræ* and the *salsola*; of both of which there is great abundance, and the former particularly plentiful, giving its verdant appearance to the centre of the island, and both in life and death an essential contributor to the growth of the island. The creeper strikes a strong and deep root into the sand; it then runs along the surface for many yards, thus contributing to bind down the loose soil below. Being covered repeatedly by fresh drifts of sand, it shoots up its winding branches through them, and prevents their being blown away again; and running in every direction, crossing and recrossing the branches shot out from every individual root, it forms a most compact and

intricate net-work; and preventing the possibility of the substratum of sand being carried away, it serves to entangle and detain every fresh accession. In itself it forms also a valuable addition to the island, for being very abundant, presenting in many places a thick interwoven bed of vegetable matter, it affords by its decomposition a superstratum of vegetable mould, and a fresh and improved source for the growth and maintenance of other plants. In this manner, a few years will no doubt cover the sandy base of Edmonstone's island with a thick tangled wilderness of long grass, spreading creepers, and dwarf trees, similar to the thickets of the opposite main-land and islands; and that spot over which man now rambles with impunity, will become, at no very distant period, the haunt of the ferocious monarch of the neighbouring woods.

Edmonstone's Island is at present visited only by woodcutters and fishermen: these people had erected two huts to Siva or the *linga* upon it; but there was no other sort of habitation. The channel between it and Saugor is well supplied with various sorts of fish, and turtles are found on the southern shores.

“ * * * ”

INDIAN COPAL.

In the fifth number of the Journal of Science and the Arts, edited at the Royal Institution, is an article by Mr. Daniell, containing an experimental investigation of a new species of resin from India, which he declares likely to become a very valuable acquisition to the arts, if procured in sufficient quantities. Its being so procurable, however, depends upon the ascertainment of its origin, which appears to have been unknown to the person by whom the resin had been sent to Europe; and Mr. Daniell very reasonably regrets that such an omission as the name or description of the plant from which the resin is obtained should have occurred: it does not seem, however, to be of any very great importance, as it may be most probably supplied from other sources of information.

The substance to which the name of Indian Copal has been given appears to *Asiatic Journ.*—No. 40.

be the resin in question. This is not the produce of the Bengal side of India, but exudes from a tree that grows on the Malabar coast, whence indeed Mr. Daniell received it, the *Vateria Indica* of Linnæus. The following notice of it occurs in Dr. Ainslie's work, in the division the Artisan's nomenclature, under the head Varnish: “ *Varnish Peynic* (*Vateria Indica*, Linn.) *Doepoe, Sansc.* ”

“ The resin, which in its fresh state is called in some parts of Malabar *pundum*, has been ascertained by Dr. Roxburgh to be a copal. On its being first taken from the tree it is of the consistence of honey, and of a dirty white colour, but it soon afterwards becomes brittle, so as to be easily powdered. It dissolves in turpentine, and forms a varnish no way inferior to that prepared from the copal of America.”

This account agrees in some respects with the description given by Mr. Daniell

of the resin he examined. It appears, however, that Dr. Ainslie was not apprised of the best menstruum for the resin; and the only complete solvent is a compound of camphorated spirits of wine and oil of turpentine with a small quantity of ammonia.

The Indian copal is not originally procured in Bengal; the plant has been introduced into the botanical garden and has hitherto flourished, it may therefore be disseminated. That the resin, however, is known here appears probable, by the following extract from Dr. Fleming's Catalogue of Indian Drugs in the eleventh volume of the Asiatic Researches.

"A concrete resinous substance is imported from Bussorah, which passes at the Custom-house, and is also sold in the bazar under the name of *cahruba* or amber, but which I found on examination to be real copal, the resin so much used in England as a varnish. This substance is used for the same purpose by the coach-makers of Calcutta. It resembles so perfectly the finest amber in colour and texture, that the jewellers make necklaces of it which pass for those of genuine amber, and from which it is difficult to distinguish them. The copal is, I believe, the produce of the *Vateria Indica*, a tree

which grows on the Malabar coast. I was favoured by Dr. Horsburgh with a specimen of the resin of that tree, and found it both in appearance and chemical qualities to coincide entirely with genuine copal."

The last remark of Dr. Fleming's appears to be not quite correct, for American copal is soluble in camphorated oil or spirit, which does not seem to be the case with the Indian copal. It must not be supposed, either, that the substance sold in the bazar under the name *cahruba* is in no case genuine amber. The substitution in general appears to be unintentional, and to arise from the difficulty that really does exist in discriminating by external characters pure copal from amber.

The Sanscrit name given by Dr. Ainslie to the resin of the *Vateria Indica* must be very incorrectly written. *Doepoe* cannot be the form of any Sanscrit word, and no doubt is intended to represent धूप *dhūpha* or *dhoopu*, the Hindoostanee *dhuoh*; a term, however, that more correctly signifies incense, or any fragrant resin so employed, than any one gum or resin in particular.

" * * * "

Calcutta, August, 1818.

MEMOIR REGARDING BENARES.

THE city of Benares being better known to the learned of Europe, at least by name, than most of the other cities of India, an history of it, as authentic as practicable, is certainly a desirable object. The origin of this city is, like that of most others, buried in obscurity; but where authenticity fails, fiction has amply supplied its place. According to the Casee Pooran, it is impossible ever to know by whom or when Benares was founded: this affirmation, however, may justly be doubted, and in fact is contradictory, since immediately afterwards the Pooran goes on to relate that Benares, or more properly Casee, was built by Mahadeojee at the time of the creation of the world. It is a principle of Hindoo ethics, that prayers and penances are irresistible: accordingly, no sooner was the Mahadeo quietly settled in his new town, than one Raja Deotas, by the strength of his

prayers, forced him to vacate, and usurped the vacant throne. The Mahadeo not being a man who silently submitted to these sort of forcible ejections, sent a few of his deotas or disciples to turn out the Raja; whose prayers, however, being the most efficacious of the two, soon prevailed, and the deotas were forced to retreat. Nothing daunted at this, the Mahadeo next sent Gunesbjee, who happily succeeded in ousting the interloper; after the accomplishment of which feat the Mahadeo re-entered his "good city," and reigned for the short period of five thousand years!! Thus much for the Pooran. The original name of the city was Casee, and it is not known at what precise period it was changed to the present denomination of Benares.

One of the chief curiosities is a mosque, built in A.D. 1677, by the cruel and bigoted Aurunzebe emperor of Hindoostan,

on the spot where an Hindoo temple, called Benec Madho, was situated. The minarets, of which there are two, measure one hundred and eighty-six feet from the top to the bottom, and are built at the distance of thirty feet from the Ganges, which rolls below in gorgeous pride. One of the minarets is in a falling condition; the other the author mounted, by about one hundred and thirty steps of the vilest construction, twisting within-side, somewhat similar to the monument in London. The view from the summit is peculiarly imposing; the city, with its thousand temples, stretched out below, while the painted domes of Ramnugu (the palace of the Raja of Benares) glitter in the sun, and the distant white battlements of Chunarghurh (twenty miles off) appear on the verge of the horizon.

Benares is supposed to contain a million of inhabitants, four hundred thousand of whom are Mussulmauns and the remainder Hindoos; it is also calculated that out of the above one million three-fifths are females; and that twenty-five thousand pilgrims, merchants, travellers, &c. daily, on an average, enter and go out of the city. The brick houses in it are calculated to amount to one hundred thousand. The town itself is five miles long and four miles in breadth; and an hundred Brahminy bulls prowl about its streets; and the number of Fakeers, Brahmias, and Suneassies, who live by begging, is immense. There are fifty regular places where food, salt, wood, and water are distributed gratis; and several buildings are set apart for cooking food gratuitously. The population is four times greater than when the English first gained possession of the province, and is daily increasing; and one hundred and forty million pounds of grain are yearly consumed in the city.

To the temples of Gunesh, Unpoorah, Beseshur, and Bhyroo, citizens and foreigners (principally Marrattahs) are continually flocking from morning till night; on ordinary days about five thousand, and on holydays at the very least ten times that number; and it must be remembered that these are pretty frequent, there being no less than one hundred and fifty-four Hindoo holydays in the course of the year. Benares contains a thousand temples, one half of which are

dedicated to Mahader, and in each temple two or three Brahmias officiate. The most famous object of Hindoo adoration in Benares is the temple of Beseshur, which was built A. D. 1681, by two men of the names of Bishnath and Sumkhura, stated to have come from the Deekan; this, however, is a disputed point, and the foundation of the temple is by some ascribed to Ahlea Bace, wife of Mohara Holkar.

The temple itself, which the author visited twice, is undoubtedly handsome (but not in a degree equal to a very small temple at Ramnugur commenced by the unfortunate Raja Cheyt Singh, and left unfinished at his death, which is perhaps one of the most exquisite specimens of indefatigable and minute labour in all Hindoostan) but is too much confined by surrounding houses. The only entrance to it is by a narrow lane *not five feet* wide, and blocked up with dirt and Brahminy bulls: the temple stands on the north. On entering it is at first impossible to distinguish any thing, the eye being blinded by the sudden change from glare to darkness: a few lamps glimmer here and there; but the ear is saluted by the buz of prayers and the harsh tingling of a large copper bell, which is suspended from the roof of the central apartment, and is sounded by each worshipper on his departure. On each side are a few small rooms, each feebly lighted by a single lamp placed in a niche over the object of adoration (the lingah). Many people of both sexes were on their knees, scattering on the lingah rice, water, and leaves, which were soon devoured by the Brahminy bulls, who were roaming about the temple, quite at their ease; the crowd was incessantly entering and departing. The author mounted a narrow flight of steps to the roof, which he found covered with human excrement, thus rendering the temple a fit receptacle for the enormities of the Hindoo religion. The Brahmias were very annoying in their beggings for money; but this seems to be a priestly custom, sanctioned every where by long usage, and equally as applicable to the filars of the west as to the Brahmias of the east.

Among the curiosities of Benares may be reckoned a well, to which people resort from Lucknow and other places, to shave

for the first time the heads of their children. A razor fastened by a bit of string is dropped into this well, and when drawn up again is supposed to be particularly well charmed for this barbarous operation.

The Observatory (described in the *Encyclopædia Britannica*) was built by Raja Maun Singh.

The College is a very ancient foundation, and of great celebrity, particularly since the time of the above Raja Maun Singh, who was either its founder or bestowed a very considerable pension on it; it has no endowment in lands. The Raja of Benares used to support it by assignments on the revenue, which, at the time of the cession of the province to the British, induced Mr. Duncan to obtain from Government, at the entreaty of the Raja, the promise of an annual sum of twenty thousand rupees; that sum, however, was never expended, and in 1812 the Committee of English gentlemen for the management of the college, conceiving

that, from the nature of Mr. Duncan's arrangement, Government were pledged to appropriate the above yearly sum to the use of the college, funded more than half a lac of rupees in Company's paper. The present expenditure, which varies with the number of students, may be calculated at from sixteen to eighteen thousand rupees a year, in which is included the salaries of the professors, subsistence to the scholars on the foundation (scholars who are candidates for admission receive nothing until they are admitted, either by vacancy or examination), and the money expended for the purchase of books and the employment of librarians and copyists. In 1816 there were about eighty students. The Committee elect the teachers, who are all Brahmins and Pundits, supposed to be particularly versed in the several sciences they profess to teach and superintend.

M. E. S. K.

November 1817.

LIST OF

GOVERNORS-GENERAL, VICE-PRESIDENTS, and COMMANDERS-IN-CHIEF OF BENGAL; ALSO OF THE JUDGES:

*With the Dates of their respective Appointments, from the Year 1733
to the present Period.*

GOVERNORS-GENERAL.			
Mr. Freke	1733	Mr. Speke (Acting)	1793
Cruttenden	1738	Sir John Shore, bart.	1793
Braddyll	1739	Mr. Speke, Vice-president and Deputy-governor	1797
Forster	1746	Sir A. Clarke, Vice-president and Deputy-governor	1799
Dawson	1747	Sir G. H. Barlow, bart. do. do. ..	1801
Fitch	1748	Lieut.gen. Hewitt, do. do. ..	1802
Barwell	1750	Marquis Cornwallis, K. G. ..	1805
Drake	1756	Sir G. H. Barlow, bart. Vice-president and Deputy-governor ..	1805
Col. Clive	1759	Mr. Udny, do. do.	1805
Mr. Holwell	1760	Sir G. H. Barlow, bart. K. B. Governor-general	1805
Vansittart	1761	Earl Minto	1807
Spencer	1765	Mr. Lumsden, Vice-president and Deputy-governor	1809
Lord Clive	1765	Lieut.gen. Hewitt, do. do. ..	1811
Mr. Verelst	1767	Earl Moira (now Marquis of Hastings) also Commander-in-chief ..	1812
Cartier	1769		
Hastings	1772	COMMANDERS-IN-CHIEF.	
Wheeler (Acting)	1781	Col. Alexander Champion	1747
M ^r Pherson (now Sir John) ..	1785	Lieut.gen. John Clavering	1747
Earl Cornwallis, K. G.	1785		
Sir A. Clarke, (provisionally) ..	1792		
Earl Mornington (Marquis of Wellesley)	1793		

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Brig.gen. Carnac, resigned	1767	Marquis Cornwallis, K. G. . . .	1805
Col. R. Smith, commanding the forces	1767	Maj.gen. W. Dowdeswell, provisional Commander-in-chief . .	1807
Brig.gen. Sir Robert Barker . . .	1767	Maj.gen. Sir Ewen Baillie, knt. do.	1807
Lieut.gen. Sir Eyre Coote, K. B. .	1770	Maj.gen. William St. Leger, do. .	1807
Col. Charles Chapman	1773	Lieut.gen. George Hewett	1807
Lieut.gen. Giles Stibbert	1785	Maj.gen. William St. Leger, commanding the forces during the absence of the Commander-in-chief	1807
Lieut.gen. Sir R. Sloper, K. B. . .	1786	Lieut.gen. Sir G. Nugent, bart. . .	1812
Earl Cornwallis, K. G.	1786	Earl Moira	1812
Col. A. Mackenzie, commanding the troops at the Presidency, during the absence of Lord Cornwallis	1789	CHIEF JUSTICES.	
Col. A. Ahmuty, commanding the forces during the absence of Lord Cornwallis	1793	Sir Elijah Impey, knt.	1774
Maj.gen. Sir R. Abercrombie, K.B. in the temporary command of the troops	1793	Sir Robert Chambers, knt. . . .	1791
Maj.gen. Sir R. Abercrombie, K.B. confirmed Commander-in-chief	1793	Sir John Anstruther, bart. . . .	1793
Maj.gen. Charles Morgan, in command of the troops, during the absence of the Commander-in-chief	1797	Sir Henry Russel, bart.	1806
Maj.gen. Sir A. Clarke, K. B. . .	1797	Sir John Royds, knt. (Acting) . .	1807
Brig.gen. Giles Stibbert, provisional Commander of the forces	1799	Sir E. Hyde East	1813
Maj.gen. Sir J. Craig, K. B. provisional Commander-in-chief . .	1801	PUISNE JUSTICES.	
Lieut.gen. Gerard Lake	1801	Sir R. Chambers, knt.	1774
		Mr. C. S. Le Maitre	1774
		Mr. Hyde	1774
		Sir William Jones, knt.	1783
		Sir William Dunkin, knt.	1791
		Sir James Watson, knt.	1796
		Sir John Royds, knt.	1797
		Sir Henry Russel, knt.	1798
		Sir William Burroughs, knt. . .	1806
		Sir Francis Macnaghtan, knt. . .	1815
		Sir Anthony Buller, knt.	1816

SHORT ACCOUNT OF THE MEDICINAL PLANTS OF JAVA.

(Continued from page 266.)

Remarks on the Third Column of the Table.

STIMULANTS.

Jacca pinnatifolia (*tinggiling mentik*). My attention was first directed to this plant by remarking the repute which it is held in by the natives. It is employed, both at Batavia and in the eastern parts of the island, internally as a stimulant or tonic, and externally in contusions and swellings: infused with water, it yields a bitter mucilaginous fluid, with a peculiar aromatic taste, somewhat inclining to that of the *arum*. I think it deserves some attention and enquiry. It grows in fertile grounds, near the foot of

large mountains. The form of the root is globular, somewhat compressed and incurvated, resembling a kidney; and is about the size of a nutmeg.

Laurus (*krangeang* of the Javanese).

This species, as far as I have been able to ascertain, is not yet described; it agrees in flavour and sensible qualities with the *laurus nobilis* of Linnæus, and may become useful as an external remedy. The berries, which have a strong, pungent, aromatic taste, are employed as a condiment by the natives; several other species of *laurus*, of less evident activity, are employed in their practice.

Betonica—(*chun-guf*), a plant of a very

agreeable aromatic flavour, agreeing in sensible qualities with several other plants of the natural order to which it belongs, for example the *teucrium*, *melissa*, &c. The infusion of the dried leaves is of a dark brown colour; its taste is pleasantly aromatic and somewhat bitter. It is diaphoretic, and may supply the place of the other plants of this order in common use.

Valeriana (kettull-gunning). Its specific characters approach very near to the *valeriana officinalis* of Europe, perhaps it may be somewhat modified by climate; its sensible qualities are the same; it remains to be determined how far it agrees with it in effects and use.

Eupatorium (te-gunung). The infusion of this plant has an agreeable exhilarating effect; its odour is aromatic, and somewhat pungent; it strongly resembles the *eupatorium (aya-puna)*. It grows only in the elevated situations of the island; where the natives, that are acquainted with its use, employ it in infusion, as a common drink in fevers and colds.

From the following three plants essential oils are prepared, which possess a strong stimulating effect, and are useful externally applied.

1. *Andromeda*, a new species (*gandapuro* of the Javanese). The oil has a peculiar odour, and is very volatile and heating; it is greatly in repute among the natives in rheumatism. The *gandapuro* is a shrub, and grows only in elevated situations; all the parts of it are penetrated by its peculiar flavour.

2. The shells of the fruit of the *umyris proticim (tung-gulung)* of the Javanese) afford an aromatic essential oil, which is useful as a substitute for the oil of turpentine and similar stimulating oils.

3. The pericarp of the *randu-basin* of the Javanese, a doubtful genus, likewise contains a large portion of an aromatic oil.

I shall add to these the *Weluling* of the Javanese, forming a new genus, which acts peculiarly on the salivary glands; the stem is covered with a rough bark of a pungent aromatic quality. Like other sialagogues, it produces an increased flow of saliva, and is very generally applied by the natives in tooth-ache, and as a roborant of the gums. The taste is hot, but

by no means disagreeable, and it produces an astringent effect on the gums.

TONICS.

Chloranthus spicatus (*kras tulang* of Batavia and its environs, *palu-dengen* in the eastern parts of the island).

The odour of the root resembles that of the *seneka*, snake-root; the leaves are generally employed by the natives as a corroborant; they make an infusion of them. It is also employed in decoction, in gonorrhœa, and in some stages of syphilis. The plant doubtless possesses some virtues. Several cases of mild intermittent fevers have been cured by it: it deserves some further observation to determine its effects.

Mimusops elengy (tanjung) of the Malays and Javanese.) The bark of this is likewise a mild tonic: it possesses more bitterness and astringency, but less aroma than the *kras-tulang*. It has been found useful in fevers and as a general roborant; in some parts of the island it is in high esteem as a remedy of this class. The bark is used in decoction. Rumphius mentions various uses to which the flowers, wood, &c. are applied, but seems not acquainted with the tonic virtues of the bark.

Of the genus *brucea* I have discovered two species: the first is called *frañalot* by the Javanese, and *kimonjenjen* in the district of Jacatra; the second *pati-lalar* on Java, and *kipait* in Jacatra. All the parts of the first species, the *frañalot*, which has a shrubby stem, the root, the bark, the leaves, and the fruit, are intensely bitter. It imparts both to the watery and to the spirituous infusion a penetrating bitter taste. Its effects are simply tonic; it is useful in diseases of the stomach and intestines, and in all cases where a pure bitter is indicated. It has appeared to me, that combined with the bark of the *suren* tree, to be mentioned hereafter, which is considerably astringent, it might be very useful in many cases of dysentery, in the latter stages of the disease. I have given it to several persons in debility of the stomach and diarrhœa with good effect, both in a watery and spirituous infusion. In most cases where the *quassia* or *simaruba* are generally employed, it may be used with advantage, and supply their place: the bitter taste, when infused in water, is developed rather slower,

but becomes equally strong in a short time.*

The second species of the *brucea* (called *pati-lallar*) is a tree of middling size; all its parts are impregnated with a bitter taste, which resembles that of the *fraxinifolia*. Its name implies that it is obnoxious

* As I have described this shrub, both in a medical and chemical point of view, in a separate dissertation, I refer to that for a more minute detail of my remarks.

to insects. It depends on future trials to determine in how far the two species agree in qualities and effects. From the trials I have made with the first species I can recommend it for further investigation; it promises most utility in diseases of the stomach and intestines, but may probably also be employed advantageously as a general tonic in febrile diseases.

(To be concluded in our next.)

POETRY.

ELEGY

ON THE DEATH OF A WIFE.

*From the Sanscrit of Jagannātha Pān-
ditu Rajā.*

With face averted frowns relentless Fate,
And wills the jewel of her race de-
part:

To whom shall I my agonies relate?

What words can soothe the anguish of
my heart?

Where are those modest smiles, that once
could move

Each wild emotion of my soul to peace?

Where are those sparkling eyes—twin
friends of Love?

That tongue—that once could bid each
suffering cease?

In dim unconsciousness perception wanes,
And knowledge travels on oblivion's
road.

My fair—alone this faithful breast retains,
The guardian goddess of the warm
abode.

Soul of compassion! was compassion
spurned?

So swift the haste that urged the heaven-
ward flight,

No tender glance upon thy husband
turned

From eyes than azure lotuses more
bright.

How wilt thou scale the skies? Alas! the
thought

Is bitter, that I cannot give thee aid,
As when my arm, by thee in terror
caught,

Thy steps upon the marriage marble
stayed.

Dear as the genius that my verse inspires!

Thy image never shall my soul forego—
Pure, mild, and spotless—fraught with all
the fires

That taste can guide or fancy can bestow.

Now bursts unchecked the Coil's loudest
song,

And blooms the Lotus with unrivalled
charms,

In peerless splendour moves the Moon
along,

Love of my life!—since thou hast fled
these arms.

Mine were MAHENDRA's joys—how short
their hour!

Fleet as the lightning's transitory blaze!
Thou leav'st me wretched—like the mo-
narch's power,

Whom counsel flies, and destiny betrays.

What crime was mine? what sudden an-
ger tore,

Far from her lord, a fond and faithful
wife;

Thee, Form of Grace! to distant man-
sions bore,

To pass in happiness, eternal life?

Thy soft endearments, like ambrosial dew,
Through all my soul poetic rapture
shed;

How shall my verse its pleasing strain
renew,

Since all that gave it excellence is dead?

How canst thou contemplate, throned high
in heaven,

Thy once dear lord, cast prostrate on
the earth—

Him to whom late each tenderest name
was given,

From whom each earthly transport late
had birth?

How many virtues has thy death resigned !
The loveliest grace, a heart from anger
free,
The mildest manners, and the purest mind ;
All hast thou left, and, ah ! abandoned
me.

Thy living beauties shot a golden ray
That shamed the radiance of resplen-
dent fire ;
Now on thy charms the flames triumphant
prey,
And red with vengeance glows the fu-
neral pyre.

More soothing thou than camphor to the
sight,
More sweet than round the neck the
lotus flower,
Thou more than strains poetic gav'st de-
light—
First of thy sex !—a heaven-descended
power.

How could'st thou fickle and inconstant
seem,
And leave for Death the husband of thy
youth,
Thou who hadst never even in a dream
One instant forfeited thy plighted truth ?

Late, on the couch reclined in soft repose,
Thy lord—thy love—each tender thought
possessed ;
Now vainly do I tell thee of my woes,
No answer soothes the sorrows of my
breast.

Those words that dropped like honey from
thy tongue,
Those charms with pity's dew so oft
adorned,
Those graces loftier poets should have
sung—
By me, alas ! are only to be mourned.

“ * * * ”

OCCASIONAL ADDRESS

*Spoken at the Chowringhee Theatre, July
30, 1818, upon the Marquis of Has-
tings' revisiting the Theatre.*

Entering at the Stage Door.

What have we here ? Let's see—can this
be true ?—
An audience here again ? I'll mend my
view ;

Yes there they are—ranged in their usual
places,
Row above row, a set of smiling faces—
Their cheerful looks bespeak a friendly
greeting ;
I'll on, and wish them all a merry meeting.

Advances.

Welcome, good friends ! whose presence
here recalls
The voice of gladness to Chowringhee's
walls,
Where for six tedious months has silence
been
Sole sad spectatress of the lifeless scene,
And, dark enthroned amidst her cobweb
train,
Usurped the Drama's long established
reign—
A reign of reason, that we hope once
more
Our efforts and your aid shall yet re-
store,
Again with renovated glow to blaze
In all the brightness of its best of days.
Palled with enjoyment, epicures can show
'Tis wise awhile indulgence to forego,
Till sated appetite recovering feel
A keener relish for the savoury meal ;
So may this pause your lagging zeal re-
vive—

And public taste, more sensibly alive,
Again that warm encouragement ex-
press,
Which prompts exertion and secures
success.

If happy omens shew what fates impend,
Assured success the counsel shall attend,
Which bids the muse her mirthful carol
raise

Amidst the voice of gratitude and praise—
Amidst the shouts of victory that tell—
Amidst the Pæans that to HASTINGS
swell—

Amidst the thanks a grateful nation owes
For rights asserted, and for humbled foes ;
For empire spread—whose mercy-scep-
tered hand

Distributes blessings on each prostrate
land ;

For all that History shall through every
age

Record of HASTINGS in her proudest
page,

A name to Britain and to India dear ;
Long to be loved at home—for ever che-
rished here !

DEBATE AT THE EAST-INDIA HOUSE.

East-India House, Feb. 4.

The general court assembled at the usual hour. The minutes of the business transacted on the preceding day having been read:

The *Chairman* (James Pattison, Esq.) acquainted the court, that it was met pursuant to adjournment, for the purpose of proceeding in the consideration of the official documents respecting the late military operations in India, and resolutions of thanks adopted in consequence by the court of directors; which documents and resolutions had been open at this house for the inspection of the proprietors since the 20th ult. He then directed the following resolution, relative to Sir Thomas Hislop, to be read by the clerk:—

“That the thanks of this court be given to Lieut. gen. Sir Thomas Hislop, Bart. Grand Cross of the Bath, for his distinguished and successful services during the late campaign in India, and particularly in the battle of Mhaidpore, fought on the 21st of December, 1817, by the forces under his immediate command, against the army of Mulhar Row Holkar, which terminated in a decisive and important victory.”

Mr. Hume said, the transaction to which he was about to call the attention of the court would, he was sure, be admitted by all persons, even by those who had heard only partial accounts of it, to be of the highest importance. The subject embraced a question, which not only compromised, if the fact were proved, the fame and character of an officer of distinguished rank in his Majesty's service, but, if he were right in the opinion he had formed, compromised also the honour and glory of the British arms in India. He was anxious that perfect justice should be done to the high and distinguished officer to whom he was about to refer; and, as he knew that great difference of opinion existed with respect to the transaction to which he meant to call their attention, as he was aware that all the documents connected with it were not yet before the court, he felt that it would be prudent, under these circumstances, not to proceed to the vote of thanks then submitted to their consideration. He, in common, he believed, with every gentleman in the court, was ready to acknowledge the general merits of this gallant officer; but, until the transaction to which he had adverted was cleared up and explained, he could not agree to an unqualified vote of thanks to him. Conceiving that, if they proceeded, they were liable to fall into inconsistency as public men, and considering that the discussion must at present be a partial, and in some degree an *ex parte* one, he wished, in order that no injustice might be done to this individual, that time should be afforded to him and his friends to come forward with such explanation of his conduct as he might be able to put them in possession of. He submitted to the court, therefore, that the wise and sensible way for them to proceed would be to postpone the vote of thanks to Gen. Hislop, until full and satisfactory information could be obtained with respect to the transaction at the fortress of Talneir. By adopting this course, if they erred at all, their error would be on the safe side, and they could not be censured for indecent precipitation. Such a line of conduct would not tend to injure Gen. Hislop's character, if it afterwards appeared that he had through mistake transmitted a charge against himself; for it must be borne in mind by the court, that it was on a statement contained in one of his own public dispatches, printed in the royal gazette, that he (Mr. Hume) had founded his objections, and should found his observations. In that statement were contained those circumstances which he meant to bring forward. If, from the hurry of the moment, or any other circumstance, the gallant officer had given a detail to the public that was not perfectly correct, by postponing the motion time would be afforded him for rectifying the error. He regretted that they were placed in such a situation as compelled them to ask for certain explanations from this gallant officer, before they proceeded to vote him their thanks; but, as explanation appeared to him to be indispensably necessary, he conceived the just and prudent course for this court would be to postpone any proceeding with respect to Gen. Hislop until the necessary documents were placed before the proprietors. If they did this, they would effectually save their own consistency without injuring the gallant officer; whereas, if they proceeded to thank him now for his public services, and the statement to which he had alluded should not be contradicted, then they would stand in the situation of having approved all his acts, amongst which was one in violation of public faith, and in defiance of the laws of war and of humanity. (*Hear, hear!*) Should it, however, be contradicted, should Sir Thos. Hislop come forth innocent from the ordeal, their thanks would be cordially and unanimously given, and the jealousy manifested in granting them would but enhance their value. (*Hear, hear!*) He would, therefore, before he introduced the question formally, submit to the hon. *Chairman* the propriety of postponing the resolution relative to Gen. Hislop, and going on with the other votes.

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Mr. S. Dixon—"I think the court ought to be put in possession of the facts first."

Mr. Hume—"I am unwilling, through delicacy to the gallant general, if I can avoid it, to call for the reading of the official documents, since they are absolutely of an incumbratory nature, and ought not, in my humble opinion, to be introduced unless the question is to be fully discussed."

Mr. Bosanquet said, the hon. gentleman had made an appeal to their Chairman which it was quite impossible for him to answer. He sat there as chairman, to preserve order and regularity in their proceedings, and could not, without the direction of the court, postpone any discussion. The whole question was now before the court; and he thought the hon. gentleman, instead of appealing to the Chairman, should have adopted the usual mode, that of bringing before the proprietors any substantive question as an amendment, if he deemed it necessary to postpone the consideration of the original motion.

The Chairman said, that having heard the explanation of the hon. director on the subject, and agreeing perfectly in the correctness of that opinion, he felt himself bound to declare, that the proposition of withdrawing the resolution, which the hon. gentleman had made, could not be attended to; therefore the substantive motion must go on. If the hon. proprietor chose to offer an amendment, in the form of a proposition of adjournment, or of the previous question, or in any of the other regular modes resorted to in debate, he was very willing to receive it, but the motion could not be withdrawn without the consent of the court.

Mr. Hume said he regretted the alternative, and was proceeding to address the court, when

An hon. Proprietor rose to order. He said, before the hon. gentleman proceeded it would be necessary that the documents connected with the subject should be read; at present they had only the *dictum* of the hon. gentleman. Until some documents were read, the subject could not be brought under discussion.

Mr. Hume said, if the hon. proprietor had waited one moment, he would have found that he was perfectly aware of the course it was incumbent on him and proper to take. He must beg leave, before he proceeded any farther, to correct the hon. proprietor on one point. The statement he was about to make did not rest on his *dictum*, it was founded on a public document, written by Sir Thos. Hislop himself to the Marquis of Hastings, and now lying on their table; and, if the hon. proprietor had not seen it it was his own fault, and he had not therefore a right to say that he (Mr. Hume) founded the objections on his own *dictum*, or had not informed himself on the subject. (*Hear, hear!*) In

bringing forward this question, very reluctantly, he felt himself in a very delicate situation. It was owing, however, to his having for years taken rather an active part in the affairs of India brought before this court: having always determined to proceed, under all circumstances, consistently and impartially, the duty of bringing this very unpleasant business before the court, (as he thought the honour of the court would be compromised by silence,) had therefore devolved on him, and that duty he would steadily, and he hoped justly perform. He very much respected the hon. officer to whom the charge related, and with whom he might say he was personally acquainted, having been in his company; and he hoped that neither the hon. proprietor who had risen to order, nor any other hon. gentleman, would imagine that he had any objection in view, but that of doing justice to Gen. Hislop, and, at the same time, preserving the consistency and dignity of the court. Although all the documents had been open for fourteen days to the inspection of the proprietors, yet as many of those present in court might not have had time to peruse them, he thought the best and shortest means of putting the court fully and fairly in possession of the circumstances of the transaction, and the grounds of his objections to the unqualified vote of thanks to Sir Thos. Hislop, would be to allow the clerk to read a few of the public papers on the table before them. If any gentleman should afterwards think it proper that any other papers should be read to the proprietors, he should be extremely happy to have them called for.

The first document Mr. Hume requested might be read was

Copy of a Dispatch from Lieut.-gen. Sir Thos. Hislop, to the Governor-gen. and Commander-in-chief, dated Camp, at at Talneir, 28th Feb. 1818.

"In my dispatch of the 23d inst. I apprised your lordship of my having taken possession of the fort of Sindwah, and of my intention to pursue my route to the southward on the following day. Having descended the Sindwah Ghaut without molestation from the Bheels, I reached Kurrone on the 26th inst. and moved towards the Tapy at this place yesterday. On the march I received an intimation that the Killadar of Talneir had determined upon resisting the occupation of his fort by the British troops, and this, on my arrival before the place, I found to be correct; as he had already commenced a fire from a few guns, and a number of matchlocks from the walls, upon our advanced parties.—On this I directed a reconnaissance to be made by the Gr.-maj. gen., Lieut. col. Blacker, and the offi-

“cers of the engineers, with a company of
 “light infantry, the deep ravines round
 “the place preventing its accessibility on
 “the service by the cavalry picquets: I
 “sent at the same time a letter to the
 “Killedar, warning him of the conse-
 “quences which would ensue from his
 “rebellion if persisted in; to this I re-
 “ceived no answer, but I afterwards
 “learned that it had been delivered to him.
 “—The reconnoissance being completed,
 “I directed the ten six-pounders (in-
 “cluding the horse artillery guns), and
 “and two five and a half inch howitzers,
 “with some twelve-pound rockets, to be
 “brought into position, so as to knock
 “off, in as great a degree as such limited
 “means would admit of, the defences of
 “the gateway. These opened with ad-
 “mirable effect about eleven o'clock from
 “the heights on which the pettah is si-
 “tuated, from about one hundred to three
 “hundred yards distant from the walls,
 “the enemy keeping up an occasional fire
 “from his guns, and a sharp one from
 “his matchlocks, by which several cas-
 “ualties occurred.—A second reconnois-
 “sance having been made by Lieut.col.
 “Blacker, who advanced to the outer
 “gate for the purpose, I determined upon
 “storming it, in the hope that at all
 “events a lodgement might be made
 “within; two six-pounders were accord-
 “ingly brought, under cover, close to the
 “gateway, and the flank companies of
 “his Majesty's Royal Scots and Madras
 “European regiment, under Major Gor-
 “don, of the former corps, supported by
 “the rifle battalion, the 3d light infan-
 “try, and the picquets under Major
 “Knowles, were brought from camp for
 “this purpose.—Meantime the Killedar,
 “alarmed at these preparations, and at
 “the effect of the batteries, sent to so-
 “licit terms. He was desired to open his
 “gates, and to surrender himself and his
 “garrison unconditionally, which he pro-
 “mised to do; some delay, however,
 “taking place, and the day beginning to
 “decline, the guns and Europeans were
 “brought up to the first gate, which was,
 “however, entered by the Europeans at
 “the side by single files, without re-
 “quiring to be blown open: the next
 “gate was found open, and at the
 “third the Killedar came out by the
 “wicket; with a number of bayans,
 “whom he had on the previous evening
 “forced into the fort from the pettah,
 “and surrendered himself to the Adj.
 “gen., Lieut.col. Conway. The party ad-
 “vanced through another gate, and found
 “the fifth, which led into the body of
 “the place, shut, and the Arabs within still
 “insisting upon terms. After some de-
 “lay the wicket of this gate was opened
 “from within, and Lieut.col. Macgregor
 “Murray and Major Gordon entered by

“it with two or three officers and ten or
 “twelve grenadiers of the Royal Scots,
 “who were leading. I lament to state
 “to your lordship, that this gallant band
 “was immediately attacked by the trea-
 “cherous Arabs within, before adequate
 “aid could be given from the wicket; in
 “a moment they were fired upon and
 “struck down with spears and arrows.
 “The intrepid Maj. Gordon and Capt.
 “Macgregor resigned their invaluable
 “lives at this spot, and Lieut.col. Murray
 “was wounded in several places with dag-
 “gers before he had time to draw his sword
 “to defend himself. I have no common
 “satisfaction, however, in acquainting
 “your lordship that this brave officer is
 “doing well, as are also, I am happy to
 “add, Capt. O'Brien, Assist.adj.gen.,
 “Lieut. Anderson, of engineers, Lieut.
 “Macgregor, of his Majesty's Royal
 “Scots, and Lieut. Chauval, of the 2d
 “Madras Nat. Regt., who were wounded,
 “the two former at the batteries and
 “the two latter at the wicket.—When
 “the attack commenced at the inner gate,
 “the outer one was directed by Lieut.col.
 “Conway to be blown open, while the
 “fire from the batteries covered the as-
 “sault; thirty or forty of the leading
 “grenadiers having, in the mean time,
 “succeeded in getting through the wicket,
 “the garrison took shelter in the houses
 “in the fort, whence they still opposed
 “an obstinate resistance; but the re-
 “mainder of the storming party having
 “by this time got into the place, the
 “whole of the garrison, consisting of
 “about three hundred men, of whom a
 “considerable number were Arabs, were
 “put to the sword, a severe example in-
 “deed, but absolutely necessary, and one
 “which I have no doubt will produce the
 “most salutary effect on the future opera-
 “tions in this province.—The Killedar I
 “ordered to be hanged on one of the bas-
 “tions immediately after the place fell.
 “Whether he was accessory or not to the
 “subsequent treachery of his men, his execu-
 “tion was a punishment justly due to his
 “rebellion in the first instance, particularly
 “after the warning he had received in the
 “morning.—Our casualties, besides the
 “irreparable loss sustained in Maj. Gor-
 “don and Capt. Macgregor, your lordship
 “will perceive, by the accompanying re-
 “turns of killed and wounded, are much less
 “numerous than might have been expect-
 “ed from the desperate nature of the ser-
 “vice on which the troops were engaged.”

2.—*Letter from the Marquis of Hastings to Lieut.gen. Sir T. Hislop, dated camp, near the Goguer, March 29, 1810*

“Sir:—I have the honour to acknow-
 “ledge your Exc.'s commendation of
 “your having taken the fortress of Tal-
 “nien. The vigour and policy of your

determination to reduce that place, must necessarily meet my praise; it is an additional proof of the judicious energy which has marked your Exc.'s conduct throughout this service. That such valuable men as those who fell on the occasion should have perished through an act of atrocious perfidy, augments my sorrow at their loss. Painful as it was to your Exc. to exercise severity in such a case, you have the consolation of being satisfied that you have, by such an example, diminished the probability of much wanton waste of blood in future."

Mr. Hume here observed, that it would be fair to state, that there was another letter from the Marquis of Hastings, of the 3d of April, also approving of this act; and, as it was but just that every thing he knew of in favour of Gen. Hislop should be laid before the court, he requested that it might be read.

3.—*Extract of a Letter from the Marquis of Hastings to Sir T. Hislop, dated April 3, 1818.*

"I have already, in my dispatch, No. 21, of the 29th March, had the honour to convey to your Exc. my approbation of your proceedings at Talneir. I have learned, with much satisfaction, from your dispatch of the 7th March, the submission of the remaining fortresses ceded by Holkar, in Kandesh: a result which has undoubtedly been materially produced by the example justly and wisely made by your Exc. of the garrison of Talneir."

4.—*Proclamation issued by Sir T. Hislop, on the 1st of March*—[The day after the surrender of Talneir].

This proclamation set forth that "peace had been established between the British government and Holkar, and that the latter had ceded to the British government certain lands and fortresses, for the surrender of which he had given the necessary orders. That it therefore became all persons commanding any of the said forts to comply with the commands of their sovereign, and to give them up immediately. That Toolseraj Mania, Killedar of Talneir, having refused to give up that fortress, had placed himself and his garrison in the condition of rebels, and subjected himself and all his troops to the punishment of death. That if any of the late subjects of Holkar, whether Killedars or others, acted in the same manner, they should share the same fate."

Mr. Hume said, the two next documents should be read, in order to shew the court what transactions took place in another quarter, under circumstances nearly similar, which grew out of the capture of the fort of Mundlah, the Killedar of which had also resisted the British power.

power.

5.—*Extract of a Dispatch from the Governor-general to Mr. Secretary Adams, dated Guypore, March 17, 1818.*

In this dispatch the Governor-general states, "that the Killedar of Mundlah ought to be severely punished for his atrocious attack on Col. O'Brien, which would operate as a warning to others. He directs, that no terms, short of unconditional surrender, should be given to any of the ceded forts that might in future resist the British power; and orders, that the commanders shall be brought to a native drum-head court-martial. If found guilty, they are to be sentenced to imprisonment and hard labour; and if ever found again exciting resistance, to be punished with death."

Mr. Hume proceeded to observe, that such were the orders of the Governor-general, conveyed to Gen. Marshall, for the treatment of Killedars or others who resisted the orders of their sovereign to surrender up particular forts to the British arms.

6.—*Proceedings of a Native General Drum-head Court-Martial, held by order of Maj.gen. D. Marshall, commanding left division of the Army, for the trial of Sahib Roy Hazaree, late Killedar of Mundlah, and Nathoo Ram Hazaree, one of his adherents.*

"Camp, near Mundlah, 27th April, 1818.—Sahib Roy Hazaree, late Killedar of Mundlah, confined on the following charges:—1st. For rebellion against the state of Nagpore and against the British government, in disobeying the orders of the Nagpore government, conveyed to him through Maj. O'Brien, for the surrender of the fort of Mundlah to the British government.—2d. For treachery in his attack on Maj. O'Brien, who had advanced to Mundlah, to convey the orders of surrender from the Nagpore government.—3d. For rebellion against the state of Nagpore and against the British government, in disobeying the demand made upon him by Maj.gen. Marshall, for the surrender of the fort of Mundlah, after he had been formally apprized that the fort had been ceded by the state of Nagpore to the British government.—*Opinion and sentence.* The court having duly considered the evidence adduced on the part of the prosecution, and what the prisoner has urged in his defence, is of opinion that the prisoner, Sahib Roy Hazaree, is not guilty of the first part of the crime laid to his charge; there being no doubt in the minds of the court that the prisoner

“ was acting under orders from the Nagpore government, and under the restraint and coercion of chiefs (particularly Unnoun Sing) sent by the Nagpore government to control the prisoner, and ensure obedience to those orders. The court is further of opinion, that the prisoner is not guilty of the second part of the crime laid to his charge, the only evidence to support which (*viz.* Major O'Brien) declaring his belief that the prisoner was not concerned in the attack on him. The court is further of opinion, that the prisoner is not guilty of the third part of the crime laid to his charge, for the reasons assigned in acquitting him of the first part.”

Mr. Hume said, there was but one other paper necessary and connected with the charge or defence. It went to shew the injurious consequences on the public opinion in Candeish, that had resulted from the conduct of Gen. Hislop.

7.—*Extract of a Report from Lieut.col. McDowell to the Adj.gen., dated Mulligam, June 17, 1818.*

“ Finding that treachery on our part was suspected, and wishing to do away a report all over Candeish so prejudicial to our character, I did not hesitate in signing a paper, declaring, in the name of my government, that the garrison should not be put to death after they surrendered; and I trust his Exc. will approve of this. Next morning about 300 men, mostly Arabs, marched out, and grounded, in front of our troops, about 900 arms, of different descriptions, in an orderly and regular manner, which, with the conduct of these men on the morning of the 29th May, in allowing me to carry off my killed and wounded, induced me to return to the three jemidars, and most of the Arabs, the knives that had belonged to their families for ages.”

The papers having been gone through, Mr. Hume said, if any gentleman in the court wished that other documents should be produced, he could assure him that he was not aware of the existence of any beyond those that had been read that bore upon the question. If there were, either within or without the bar, any extract or extracts which any proprietor present thought necessary to the elucidation of the subject, he was anxious that they should be read, before he proceeded to make his statement.

Having paused for a short time, and no person offering, Mr. Hume continued, Taking it, he said, for granted, that there were no other documents useful to explain this case except those that had been read, he hoped he would be allowed to state, that in submitting to the court his observations

respecting that unfortunate act, which the documents had so distinctly proved, he was most anxious to guard himself against any imputations whatever that might be cast upon him by the friends of the gallant officer whose conduct was now under consideration. As he had before stated, he had endeavoured, with assiduity and careful research, to make himself master, not only of those public dispatches which related to the transaction, but he had also been at considerable pains to obtain private information respecting it; and he had, in consequence, been favoured with the sight of several letters from men high in rank in which it was mentioned. He had one private letter from Sir T. Hislop himself in his possession, written five weeks after the event took place, some part of which would, he conceived, be material in guiding the opinion of the court. Independent of his own personal knowledge of Gen. Hislop (which, he admitted, was very little indeed), many of his (Mr. Hume's) particular friends, for whose opinion he entertained the highest respect (to whose sentiments, on all occasions, he paid the greatest attention, and some of them who had served in the field with and under this gallant officer) gave him a most excellent and humane character, and spoke in the most favourable terms of his general conduct. These circumstances rendered the task he had undertaken peculiarly unpleasant; but a public duty was to be performed, and all other considerations must give way to that. He was the more anxious to say this, because, by a most extraordinary coincidence of circumstances, it happened to be his lot, some time since, to challenge (because he considered it as highly wasteful and unjust) a grant of £3,000, which the Court of Directors had voted to Gen. Hislop, for alleged loss of baggage in the capture of the Java frigate, and he was then fortunate enough, by ballot, to carry the question against the appropriation of that sum to the use of the gallant officer. This strange coincidence might lead some persons to suppose that he had an enmity to Gen. Hislop, that the present was a double attack on that gallant officer, and that the whole was dictated by a sort of pique, and was not the offspring of public spirit. But, so far from this being the case, he declared solemnly, that chance, and chance only, had thrown the duty on him, and he, as a proprietor regularly attending and taking a part in the discussions of that court, could not therefore pass over the present transaction in silence. If he had consulted his own private feelings, if he had attended to the earnest desire which he felt to conciliate many of his friends, who were also friends of the gallant officer, he would

not have taken up the subject; but, had he pursued such a course, he must have abandoned that respect which he owed to his own feelings of duty, and which was due also to the great body of proprietors, who had not, perhaps, the same time to give to those subjects. He would state to the court one grand reason which urged him to bring this question forward. An hon. director whom he now saw (Mr. Grant), and an hon. proprietor (Mr. D. Kinnaid) not now in his place, stated, on the preceding day, and it was echoed through the whole court, that the British government in India was founded on opinion. Upon what opinion, he should like to know? The opinion of good faith, of strict honour, of scrupulous attention to justice in all our dealings with the natives? (*Hear, hear!*) He found no fault with what those hon. gentlemen had said. Their empire, he admitted, was, in a great degree, founded on public opinion; and the moment the British name was severed from the idea of faith and honour, and coupled with that of perfidy and violence, the British empire would be seen to totter. To this unsullied and transcendent character had the British arms chiefly owed their powerful authority and their brilliant success. Had we not been more depended on by the natives than they could depend on each other, all our attempts at disunion, all our efforts to subdue and govern, never could have broken and divided that empire as it was now broken and divided. This being the chief reason of your success in India, it was the more necessary for the safety of that empire that the British should always maintain that character for good faith, for probity, and for clemency, by which they had long been distinguished, and which had produced such advantageous results. Believing that this act, as detailed by the gallant General himself, had operated very unfavourably in that country, particularly in Candeish; being able to prove, from the documents just read, that a British officer, in consequence of Gen. Hislop's conduct, had been obliged to stoop "to pledge his and "his government's faith not to hang men "who surrendered to their arms," to an act before unknown in the British annals—being confident that this breach of faith, as he must certainly call it, on the gallant General's own shewing, had wrought the most fatal effects on the public opinion in that country, the court could not, he thought, without utterly compromising and losing sight of that nice regard to character which it had always heretofore evinced, agree to that unqualified vote of thanks which was now submitted to them. He should therefore, before he sat down, propose a qualification as an amendment to it. He

ving served for some time in the Indian army, and being well acquainted with the noble sentiments that filled the bosom of every officer in that country, he would not be discharging the duty which he owed to his gallant fellow campaigners, if he did not say, knowing their generous feelings, that he believed scarcely another officer could be found in India who would have suffered himself to act as Sir Thos. Hislop had done. The British army was heretofore proverbially distinguished, as much for temperance and moderation in the hour of victory, as for energy and bravery in the hour of battle. (*Hear, hear!*) It was most unfortunate for its fame that this charge should now be made. The duty of originating and supporting it he felt to be exceedingly unpleasant, but it was an imperious public duty, and he would faithfully fulfil it. He could not, however, do this, without putting the court, in a very few words, into possession of the details of this unfortunate transaction. The consequence of the victory of Maidpore, gained on the 21st Dec., was a treaty of peace with Holkar, signed on the 5th or 6th of Jan. following. By one of the articles of that treaty, a number of forts, south of the Soodpara hills, were ceded to the British government. One of these was the fortress of Talner, on the north part of Candeish, and near the banks of the Tapti river. Sir Thos. Hislop being furnished after the treaty, by Holkar, with proper orders for the surrender of those forts, in his progress with the army southward he very properly determined quietly to take possession of those which offered no opposition, and of reducing, by force, any that dared to resist. Having arrived before Talner on the 27th of Feb., armed with all the authority that Holkar could give him, namely, an order directed to the commander of the garrison, desiring him to give it up, the General sent word to the Killedar to be ready to surrender the fort the next morning. Here it must be observed that Gen. Hislop did not state in his dispatch, nor had he (Mr. Hume) been able to discover, whether he sent in to the Killedar along with this message, "the chor chitty," or order of Holkar for delivering up the fortress. That was the only power which permitted the surrender on the part of the commander, and if it were not exhibited, the authority was not sufficient to call on the Killedar to open the gates of the fort, for no soldier who was faithful and understood his duty, when placed in charge of a post, would give it up to a mere *ipse dixit*. Such conduct would be base and dishonourable, and wholly at variance with the sacred trust reposed in him. If that order had not been sent to the Killedar, he could not, when he re-

fused to surrender the fort, he fairly charged with rebelling against his master. Indeed he might have conceived the summons to be a mere *ruse de guerre*, a trick to gain possession of a valuable post. They all knew that such plans had been sometimes successfully resorted to in warfare on the continent of Europe. By a scheme of that kind he believed one or two fortified places in Spain had been taken possession of, and certainly it might be considered all fair in war. The Killedar, however, returned no answer, and on the following morning, the 28th Feb., Gen. Hislop sent a second message, again desiring him to surrender. Here, also, it was necessary to observe that it did not appear whether the general transmitted the order by the second messenger. It did appear, however, by the General's statement, that the message was delivered, but the Killedar delayed giving an answer. By this it would be seen, that a message, and not a letter, had been sent: a circumstance which, of itself, in the opinion of some persons, would render the charge against the Killedar as completely untenable as it was unfairly brought. At eight o'clock Gen. Hislop proceeded in his preparations to attack the place. He was correct in doing so, because, with such a force as he commanded, he ought not to waste even an hour, much less a day. Finding that the Killedar would not surrender, he ordered some guns to take off the defences of the fort, and a storming party to hold themselves in readiness, as near the fort as he possibly could. The Killedar, alarmed at these preparations, and seeing that resistance was vain, sent out to know what terms would be granted. The answer was, "You and your garrison must surrender unconditionally." "Then" said the Killedar, "I will surrender unconditionally." If they called to mind what had occurred at different sieges where the garrison partly consisted of Arabs, for instance, at the siege of Maligaum, under Col. McDowell, or if they reflected on the conduct of the Arabs who formed the escort of the Peishwa, they might easily conceive the difficulty which the unfortunate Killedar of Talnair might have experienced in endeavouring to make the Arabs consent to an unconditional surrender. He thought every thing that Gen. Hislop himself said must lead them to this conclusion, that the delay which took place in giving up the fort was occasioned by the obstinacy of the Arabs. But, supposing the delay arose from a reluctance on the part of the Killedar to give up the fortress, that had been entrusted to him, could he be blamed for retaining his post, if he were ignorant whether the order for surrender was genuine and regular or false and coun-

terfeit? As some delay took place after the Killedar stated that he was ready to give up the fort and garrison unconditionally, and as the day declined, Gen. Hislop very properly ordered a party to advance. At the outer gate not a single man was molested. The wickets were open, and the whole party entered quietly. The second gate was quite open, and they passed through. At the third gate, the governor, who had agreed to surrender, met them, accompanied by several banyans, or native merchants, who, in the east, were the principal men in the different villages. Whether those banyans had been forced into the fortress the night before, or had sought refuge there, being apprehensive of a hostile attack, was not ascertained. The latter was the more probable, as, being men of considerable property, it was natural enough for them to seek protection in the fort. The Killedar came out, and without hesitation surrendered himself as he had promised, unconditionally, to Lieut.col. Conway, adj.gen. of the army. Lieut.col. Conway (as he was able to learn from the private letter of Sir Thos. Hislop already alluded to) immediately sent him to the Commander-in-chief, who placed him in charge of the provost-marshal.

The *Chairman*—"I rise to order. The hon. proprietor must see that he is travelling out of the records on table."

Mr. *Elphinstone*—"The hon. proprietor professes to give the court a detail of the circumstances stated in the documents that have been laid before the court, but I will venture to say it is not a very correct one."

Mr. *R. Jackson*—"My hon. friend is perfectly at liberty to read the letter as part of his speech, but I admit it would be better if public documents only were referred to. I may, however, be allowed to say, that my hon. friend meant only to have read that part of the letter which was highly favourable to this officer."

Mr. *Hume* continued—"I was desirous by the private letter to shew the favorable part of the transaction, but I shall refrain from doing so. The troops advanced (the Killedar had done every thing in his power, by an unconditional surrender, to give them possession of the fort), and passed through the fourth gate without interruption. At the fifth gate, though the wickets were open, there was a party of Arabs behind them still demanding terms. Some of the advanced party entered the wickets. How the hostilities began, the dispatches do not inform us. On that, as on several other points, they were wholly uninformed: but it appeared that many of the party who entered the fifth gate, leading to the body of the fort, were killed and wounded. His charge

against Gen. Hislop, for his subsequent conduct, was most grave and serious, for the garrison of Arabs within might have attacked the party without the knowledge, consent, or connivance of the Killedar, who afterwards was made the victim of their crime! He admitted that the Arabs might be treacherous in the highest degree; but they were all put to the sword. As far as they were concerned, if they had behaved treacherously, they met the punishment due to their treachery: not a man, they were told, escaped; they were all put to death. (*Hear, hear!*) But the treatment of the governor, as the circumstances now appeared, was most unjustifiable. Why should the General sacrifice an individual, situated as the governor was, who had done his duty to the utmost of his power, who had surrendered himself up unconditionally, and thrown himself on the generosity and mercy of the British army? (*Hear, hear!*) This governor, against whom no charge appeared, was, after the storming of the place, ordered to be hanged on one of the bastions, under the express declaration, in the dispatch of Sir Thomas Hislop, which had been read to the court, that he was executed without the individual who decreed his death knowing or inquiring whether he was guilty or innocent!!! Such was the fact, such the detail of the whole transaction: and it was on account of this horrible event, that he called on the court to withhold its meed of praise from Gen. Hislop, great as his deserts in other respects might be (and he was ready to admit that they were great,) until the time should come when he could clear himself from the imputation of rashness or cruelty. (*Hear, hear!*) All he asked was, and he thought he had a right to ask it, that the court should suspend its unqualified thanks, until the period arrived when there should be an official examination into this affair. (*Hear, hear!*) If the grounds he had stated was not sufficient to induce the court to pause until a proper explanation was given, he had two other considerations to submit to them, which he thought, as they respected the treatment of the Killedar, demanded particular attention; first, what was the practice of modern warfare; and secondly, what was the custom of civilized Europe on such occasions? With respect to the former, he referred the court to documents lying on the table, and which had been read to them. He alluded to the order of the Governor-gen., dated in March, 1818, and to the trial, by a native court martial, of the Killedar of Mundlah, on the 27th of April, 1818. These documents sufficiently marked the opinion of the Governor-gen. with respect to the course that should be adopted towards rebels, whether taken in flight

or with arms in their hands. It could not make against the Killedar, who had surrendered himself, that the garrison of Talnair were taken with arms in their hands! But the same thing occurred at Mundlah, and treachery was there practised against the British. But, notwithstanding this, the Governor-gen. said "Try the rebels by court martial, and, if they are found guilty, for the first offence imprison them and keep them to hard labour; but if they are detected again in treachery, punish them with death." It was because Gen. Hislop had not tried the Killedar, to have proved his guilt of the charges made against him, that he conceived him to have erred against the almost general rule of the service. He believed there could not be found, in the military transactions of India for the last fifty years, one instance of this description. If there had been such, he had never heard of it; and, for twenty-five years past, he knew of nothing having occurred that was in any degree similar to it. The only case he recollected to have heard of, where quarter was refused to those who surrendered, that could in any way be compared with the scene acted at Talnair, was the storming of Ismael, an event that excited general horror and indignation throughout Europe, as much for the numbers as the way in which they were slain. With respect to their affairs in India, nothing of this kind, he hoped, until the present time, had ever disgraced and dishonoured them. As to the law of nations, he would immediately show, from the highest authority, that the act was completely at variance with it. In that law, as laid down by a very able writer, for the treatment of prisoners of war, an exception to the general rule was admitted, with respect to the putting individuals to death after their surrender; but he submitted that Gen. Hislop's act did not come within the scope of that exception. The writer to whom he alluded was Vattel, who stated very clearly what the law in such cases should be. "We cannot," said he, "with justice take the life of an enemy submitting and delivering his arms." But to this there was an exception, which he would state to the court, if it could guide the proprietors in their decision. This then was the exception:—"When the enemy has been guilty of some enormous breach of the law of nations, and particularly if it be at the same time a violation of the laws of war." This was the only case where life might be taken from an enemy, and quarter refused to him; that was, Vattel stated, "where an enormous breach of the law of nations, and of the law of war, had

"been committed." This denial of quarter is no part of the law of war, but the penalty of the offending party's crime: but, to be just, it must fall on the guilty alone. If care be not taken it may visit the innocent, and, by this rigour, the law of humanity is infringed. "But," he continues, "whenever severity is not absolutely necessary, clemency is to be used." This was an extract that in some degree applied to the present case; but even there they were told, that when severity was not absolutely necessary, clemency ought to be adopted: and he would ask if the execution of the governor at Talnier, after his surrender, was a case of absolute necessity; it did not appear to be so, which left the act committed by Sir Thomas Hislop without any support. Vattel said, in another place, "there are circumstances, when your safety is incompatible with the existence of an enemy, that will justify your destroying him; which puts it out of all question: that in cold blood a great number of prisoners may be put to death.* But it must be inquired whether they were promised their lives, or left open to such a sacrifice." It was only the great necessity of the case that could justify such an execution. Thus, Henry V. at the battle of Agincourt was obliged, in self-preservation, to put his prisoners to death, lest they should rise and overwhelm him. Again, Vattel said, "only enormous offences are to be punished in this severe manner; and when rigour is not of absolute necessity, it is always beautiful to listen to the voice of humanity and clemency." Now could we, with the case that had been stated, coolly place our hands on our hearts and say, that the case of the Killedar was the case of that absolute and pressing necessity as would justify a departure from all the rules of humanity and the uniform practice of our own country? (*Hear, hear!*) Was the safety of the British army and of their general depending on the life of this unfortunate man! (*Hear, hear!*) He hoped it was not harsh or unfair, to say, that there appeared nothing in the case to bring it within any one of these exceptions. He had stated those exceptions fairly; if they could apply, he had, he flattered himself, shewn that none of them could be applied to the act committed by the orders of Gen. Hislop, and he was sure that, having done so, it was not unreasonable in him to request the court, under these circumstances, to acquiesce in his suggestion, and suspend this unqualified vote of thanks, until the whole of the facts were before them. He would state the case of an officer, who for 24 years had served his country faithfully,

had shed his blood in her defence, and had received the thanks of the legislature for his gallant conduct. In the 25th year of his service, it is discovered that he had cheated his men of some small allowances of money for coal, candle, or any other allowances. He is tried, and although his services, during a quarter of a century, may be urged in extenuation of this paltry offence; although those services were fairly stated, and duly considered, yet by the rules of the service this would avail him little; he would be condemned and dismissed the service. Such was the rigid law of war. Now if military law would carry a court to what seemed an excess of punishment to any otherwise most meritorious officer, was it much for him to ask, where there was such an apparent dereliction of duty in Gen. Hislop, that they should suspend until a future opportunity this general and unqualified vote of thanks and approbation to an officer, the whole of whose case was not yet before them? In acting thus, he hoped he was doing nothing but what tended to preserve the character of the court, and the honour and reputation of their military establishment. Let it be recollected, also, what the consequences of this act had been. Let it not be forgotten, that a gallant officer, at the head of a strong detachment, had taken, after a noble defence, the fort of Malligaum, having found himself obliged, previous to its surrender, to sign a paper, pledging his honour and the honour of government that he would not put the garrison to death in cold blood! Yet, according to the proclamation of General Hislop, of the 1st March, the day after the storm of Talnier, every man of the garrison of Malligaum was liable to the penalty of death; for the gallant general had told the whole of the people of Candeish, coolly and quietly, that every man who refused to submit at once to his new masters should suffer death! His was, therefore, he would contend, a deliberate act; and as it bore that complexion, they would be highly criminal if they thanked General Hislop, so long as any doubt remained of the nature of the transaction. But, in the dispatch of Col. M'Dowell, which they heard read, the result of Gen. Hislop's conduct was placed in the clearest point of view. Talnier was a fort in the north of Candeish, and Malligaum was in that province also. Col. M'Dowell was employed to reduce this latter garrison, and, such was the prevailing opinion of our want of faith in the country, such was the effect produced by General Hislop's conduct at Talnier, that he was obliged, in order to terminate the siege, to put his signature to a declaration derogatory to the honour of the Company, because it implied a suspicion of their integrity. (*Hear, Hear!*) Let the court attend

* Vattel, §. 131.

to the words of Col. McDowall: "Find-
ing," said he, "that treachery on our
part was suspected, and wishing to do
away a report all over Candeish so
prejudicial to our character, I did not
hesitate in signing a paper, declaring,
in the name of my government, that
the garrison should not be put to death
after they surrendered!"

Now if he could gather any thing from
dispatches, this report of their bad faith,
this statement of their perfidy, this sus-
picion which appeared to haunt the
minds of the inhabitants of Candeish,
that men were hanged by the British after
they had surrendered, must be set down
to the account of the unfortunate occur-
rence which took place under the eye
of Gen. Hislop at Takier. (*Hear, hear!*)
Was it not lamentable to think that a
high-minded and gallant officer should
thus be obliged to put his hand to a paper,
to pledge the honour of the Company,
to pledge the honour of the Indian govern-
ment, that they would not hang individ-
uals after they had surrendered, and
thrown themselves on the once-entrusted
humanity of British soldiers. (*Hear,
hear!*) He stated this circumstance as
one of the most serious facts of the case;
but if he followed Gen. Sir J. Malcolm
through his able and interesting dispatch
of June, respecting the surrender of the
Peishwa, he could find still more matter
for comment. In that dispatch he stated
that the Peishwa was afraid of treachery,
yes, of treachery from those who were
never before suspected, and therefore it
was that he declined, for a considerable
time, to surrender. But he put faith in
Sir J. Malcolm; he knew that he was as
sincere as he was brave, and in his hands
the Peishwa placed his life, without feel-
ing any apprehension. That this was the
fact was most evident, for the fugitive was
hunted from place to place by numerous
parties. Gens. Doveton and Smith endeav-
oured in vain, by most active and arduous
pursuits for months, to capture him. The
Peishwa flew from these gentlemen. Did
he think that these gentlemen would act as
Gen. Hislop had done? Certainly he had
his doubts and fears!—The fact was, he
knew Sir John Malcolm, and he felt that
if he once pledged his honour his safety
was perfectly secured; to him, there-
fore, he came, and surrendered, neither
agitated by fear nor suspicion. Now if
the circumstances which he had related
were not highly detrimental to their hon-
our and to their arms in India, he was
utterly at a loss in what light to view this
case. He knew not but that the transac-
tion might be in some way explained;
and he sincerely hoped it might: but, in
the mean time, he called on the Proprie-
tors not to commit themselves to the
country and the world. Could the Court
of Directors and Proprietors so far forget

their honour and dignity, as to be the
first to acknowledge, and thereby encou-
rage, a breach of those laws which all
civilised nations held to be sacred?
(*Hear, hear!*) Would they do so par-
ticularly at the present time, when the
character of America was trembling in
the balance, on account of a somewhat
similar transaction? — (*Hear, hear!*)
Could they lightly look over the conduct
of General Hislop, when every man was
scanning the proceedings of America,
with respect to the case of Arbuthnot and
Ambrister? Let gentlemen, therefore,
act prudently: let them not do any thing
unjust towards the gallant officer, or
unfair towards themselves; but steer
a temperate middle course, and leave
this vote to be decided on a future day!
He begged to state another and a very
strong reason for this postponement,
this was not a solitary instance. In
the newspapers there had lately been a
report that Lieut. Sutherland, command-
ing a party of the Nizam's horse, had
ordered two individuals of rank in the
late Peishwa's army to be hanged after
they were taken prisoners. (*Hear, hear!*)
All he wanted to know was, whether
those persons had been tried by a court
martial, or put to death as had been
stated without trial? When instances of
this kind were multiplying, they ought to
be on their guard. Those persons were,
it seemed, accused of having perpetrated,
or of being privy to the murder of the
Messrs. Vaughans, at the time of the
Peishwa's defection. If they were guilty,
he hoped they had suffered; but he hoped
they had not been put to death in the in-
formal way that was reported. With
these remarks, and begging the Court to
understand that he was not one of
those, if any such there were, who would
say that this transaction was not ex-
plainable, he would proceed to his amend-
ment. He hoped, with great sincerity,
that Gen. Hislop would have an opportu-
nity, and would be able to explain; he,
therefore, in requesting that the consid-
eration of this vote should be postponed,
did so, he would again repeat, that the
Proprietors might not commit themselves
by an unqualified vote of thanks. He
trusted that the court would agree to
the amendment he should propose, in the
hope that whenever they obtained docu-
ments containing satisfactory informa-
tion, sufficient, fairly and clearly, to ex-
plain the whole matter, they would then
be called together, when they would be
enabled to give a vote of thanks, which
he hoped would receive, as all votes of
this kind should, the unanimous assent
of the Proprietors. (*Hear, hear!*) Great
as was the honour derived from a vote of
thanks, under most circumstances, yet
it must lose much of its value in the eye
of the person receiving it, whenever a

difference of opinion appeared to prevail in this court. Without any personal feeling whatever, but deeply impressed by the important circumstances of the case in a public point of view, circumstances which he could not silently pass over, he had introduced this question. If it were a troublesome or an ungracious task, he could not blame any person for imposing it on him; he certainly, from a sense of duty, had brought it on himself. Anxious to do justice to the private character and public services of the gallant officer, he should now move, that all the words of the original motion, after the word 'that,' be omitted, and that the following be substituted:

"That it appears by a public dispatch from Lieut.gen. Sir T. Hislop, commander-in-chief at Fort St. George, to Marquis Hastings, dated 28th February 1818, before the fort of Talniur, and now submitted to the consideration of this court, that Toolseran Mania, the Killedar or governor, had been summoned, and had surrendered himself unconditionally to Lieut.col. Conway, the adjutant-general of the army; and that, after the capture of the said fort, Lieut.gen. Sir T. Hislop had ordered the said Killedar to be publicly executed, without any previous trial as to his innocence or guilt of the charges alleged against him in the following extract from the General's dispatch: 'The Killedar I ordered to be hanged on one of the bastions, immediately after the place fell. Whether he was accessory or not to the subsequent treachery of his men, his execution was a punishment justly due to his rebellion in the first instance, particularly after the warning he had received in the morning.' That this court cannot therefore agree to any resolution with respect to the services and conduct of Lieut.gen. Sir T. Hislop during the late hostilities in India, until an explanation and exculpation is given to an act which appears to this court to be a gross breach of the laws of modern warfare and of civilized nations, and calculated to injure the British character for humanity and good faith."

Mr. S. Dixon, in rising to second the amendment, begged it to be understood that this was the first time of his having heard that such a proceeding was in contemplation. He did not come into court with any confirmed impression on the subject; and if any combination existed to oppose the vote of thanks, which he believed was not the case, he had nothing whatever to do with it. On this occasion, he came forward, he hoped, with those feelings which an Englishman need not blush to own. Whilst this particular

transaction stood uncontradicted and unexplained, he, for one, would be free to say, that so far from acceding to a vote of thanks, he would, if he stood singly on the question, be proud to hold up his hand against the proposition.—(*Hear, hear!*)—It was but seldom he had the pleasure of agreeing with his hon. friends below him (Mr. Jackson and Mr. Hume), but in his life he never heard an opening speech more free from rancour, more estranged from personal hostility, than that of the hon. mover; throughout his address, instead of exaggerating, he studied to soften down the conduct of Gen. Hislop; no friend could have introduced the subject with more kindness. An accuser (he could scarcely give his hon. friend that designation) generally made as strong a case as he possibly could; but his hon. friend had not done this, he had fairly detailed the case on both sides. He had stated, very correctly, that Sir T. Hislop had directed the Killedar to surrender a fort entrusted to his care; but here, no doubt unintentionally, he was mistaken in one point. The dispatch expressly set forth, that a letter was at first sent in, but that afterwards a mere verbal message was resorted to, by which the killedar was informed that peace had been concluded with his master, and that Sir T. Hislop had an order from that master, commanding the governor to surrender the fort to the British forces. He was one of those who were ready to admit that the killedar might have acted as he had done, conceiving that his conduct was perfectly right, and not meaning to do any thing unfair or indefensible. He could not allow the term rebel to be used towards him, because he refused to obey the orders of a master of whom he knew nothing. In resisting that new master surely he could not be accused of being in rebellion against his old and acknowledged sovereign, and still less could he be accounted a rebel to the British government. They ought also to consider what situation he was in: whether he was acting under coercion, or from his own free will. The very terms of the communication proved, that he was within the absolute power of the British army. He would ask any gentleman connected with the British army or navy, whether, under such restraints, they would be willing to obey orders? He thought that, instead of being executed as a rebel, a man, owing his faithful service to a particular master, and fighting for him, even against the British government, deserved to be honoured and applauded. Had he remained in the body of the fort for the purpose of defending it, and hazarded his life on that issue, which soldiers were always prepared for when a place was stormed, then it would have

been fair to have taken it. But the first entrance was not defended, for our troops entered by single files, which they could not have done had there been any opposition whatever. The second entrance was also open and unguarded, and at the third, the killedar came out, not attended by armed followers, but by a number of *banyans*, who appeared to have abandoned every thing that could do injury or create alarm. They were, therefore, throwing themselves on the mercy and humanity of a British army.—(*Hear, hear!*)—He recollected a song, written by Mr. Dibdin, (whose songs, by the way, seemed in his opinion to have done almost as much service to humanity as all the sermons he had heard preached during his life) in which the following line occurred—

“We shew them that Britons but conquer to save!”

he hoped this character would last for ever, and that Britons would always be known by their humanity rather than by their severity. No man could be more deeply impressed with the importance of this subject than he was, for he was aware that the character of a soldier was more dear to him than life itself. When he was fighting abroad for his country, the most anxious wish of his heart was to find his conduct approved of at home. It was his chief solace, his greatest pleasure, amongst all his toils and dangers, to reflect, that if he signalized himself he was sure to receive the public thanks of a grateful people.—(*Hear, hear!*)—It made him happy to find that his countrymen still preserved their character for generosity, and were ready to give the honest meed of praise to those who had fairly earned it. He would, with as much pleasure as the nearest and dearest friend of Gen. Hislop could feel, go forward and give him his most hearty commendation, were this question satisfactorily explained; but, under existing circumstances, until this impression was wholly removed, he, for one, could not assent to the original motion. He was not, however, bound by what he had said to withhold his vote even to the end of the day; for if a proper explanation could be given, he cared not from whom it came, he would join in giving to the vote of thanks all the weight he possibly could, but undoubtedly the character of the Company demanded that the stain which at present appeared on that of Gen. Hislop should be cleared away. He would not go into a detail on the subject, as the hon. gentleman had saved him that trouble, and should merely content himself with supporting the amendment for the same reasons he had adduced. He must repeat, that if he were the nearest friend of Gen. Hislop, he would rather adjourn the

question now, in the hope that at a proper period it would be unanimously carried, sooner than take it at the present moment, disfigured by even one dissenting voice.

The *Chairman* said, as he did not see any gentlemen disposed to rise, he should beg the indulgence of the court, while, in a few plain sentences, he delivered his opinion on the motion proposed. He considered the attempt to deprecate the prejudging of this case, on which point the hon. mover had so often touched, as completely illusory, because, if his proposition were carried, the question would that moment be most perfectly prejudged. The amendment, in fact, stated a verdict on the whole case. He would not read it over again, but he well knew that it went to the extent of criminating this hon. gentlemen, whose name the mover had coupled throughout with the phrases of “gallant general,” and “brave officer,” terms that might be looked upon rather as words of reproach and disparagement than as epithets of approbation, joined as they were with this conclusion, that Gen. Hislop was guilty of the crime with which he had been charged. He begged to draw the attention of the court to the predicament in which they would be placed if this amendment should be carried. Amongst the papers laid on their table was a letter from the governor-general, expressly approving the line of conduct which Sir Thomas Hislop had adopted. He requested the particular attention of gentlemen to the date of that letter, which was the 29th of March, a great many days after the surrender of Talnair and the occurrence of this unfortunate event, for they must all allow that it was most unfortunate! What had happened in the interim? The Governor-general had given directions, it is true, with respect to the course that should in future be pursued on similar occasions; namely, that individuals so circumstanced should be tried by a court martial, by whom their sentence was to be pronounced, but with no reference whatever to the conduct of Sir Thomas Hislop, which he had so distinctly approved. What was the inference then, which, under these circumstances, every unprejudiced mind would draw? What result could an ordinary understanding come to but this: that there were circumstances attached to this particular case, which, in the Governor-general’s mind, made him consider it a proceeding, not only not worthy of his censure, but demanding the most decided approbation? (*Hear, hear!*) Had he given Gen. Hislop that praise immediately, it might be supposed to have been extracted from him in a hasty and thoughtless moment. But it was not so; and to prove

that fact, let the court look again at the date. The hon. mover might say, that the Governor-general had considered it proper, generally speaking, to adopt the system of holding courts martial in a variety of cases. That was very true, but he had afterwards most strongly expressed his approbation of this isolated transaction. Now, before they proceeded farther, it would be well to consider that they had yesterday voted their thanks unanimously to the Marquis of Hastings, who had approved of this very transaction. If, therefore, the present motion was not carried, they would in effect pass a censure on that noble Marquis and on themselves. (*No! no! from Mr. Hume*). This would be the effect of the proceeding; they having on one day agreed to a vote of thanks to the noble Marquis, and on the following day absolutely and substantially rejecting it, by refusing to accede to a particular resolution on account of a transaction of which the noble Marquis had fully approved. The act, as it stood before them, was very deficient with reference to explanation; but if it were introduced to the court exactly as it had been introduced to the Governor-general, then they must come to one of two conclusions; either that the Governor-general's mind was actuated by principles different from those which impelled theirs, or else that he had grossly erred, and that the vote of the general court was therefore "praise undeserved," which the poet justly described as "censure in disguise." He wished gentlemen, before they interrupted the regular proceedings of those whom the proprietors had selected as their organ, would pause a little, and give some degree of credit to the directors for honorable feeling and propriety of conduct. The circumstance which was made the ground-work of the amendment had not, indeed it could not, have escaped them. The fact was, they viewed it with different feelings; they thought the time was come to give general thanks for the most important military achievements that had been effected since the period of Lord Clive, and they accordingly came forward with a series of well-considered resolutions. Could they, he wished to know, proceed forward a single step until this proposition was agreed to? Could they go on with the other resolutions, leaving this for a future day, without insulting the general who mainly assisted in achieving those victories which gentlemen had spoken of in such a strain of eulogium? Could they on this occasion discard him, who, in the only engagement that could be called a pitched battle, had crowned the British name with honor, by a most distinguished victory over their inveterate enemy Mulhar Row Holkar?

(*Hear, hear!*) This was a case of a very peculiar nature; and he believed he stated the sense of the court to a certain extent, when he said, that if those gentlemen, who had an entire night in their chambers to consider of this unfortunate business, had come forward and said, "We will not refuse our assent to a general vote of thanks, reserving to ourselves the right of future inquiry into this particular case," many of the gentlemen behind the bar, himself at least, would have met them with open arms; though, to the eye of prejudice, something might seem apparently unfavourable in their conduct, because they did not bring this circumstance particularly under the notice of the proprietors: but their not having done so arose from no sinister motive, it was occasioned by their having taken a specific view of the subject. With respect to the vote of thanks which was justly due to this gallant commander, they were willing that it should pass, with a fair and honourable reserve, that this transaction should be subject matter of future consideration. He feared he did not make much impression on the court, but he spoke from strong feeling. He could not bear that an amendment of this nature, dishonouring and discouraging for the remainder of his life a gentleman who had done the Company great service, should be suffered to disgrace the court. He used strong language, and he knew it would not please the hon. mover. They had been made friends yesterday, and he hoped they would continue so. The manner in which the hon. proprietor had brought forward this question might, he conceived, have been improved. It would have been much better if he had contented himself with taking the dispatches as they stood, for the basis of his amendment, instead of telling the story over again in his own words, and by that means enhancing and giving a stronger view of this most unfortunate occurrence. There were, in these resolutions, the names of Hastings and Hislop. The noble Marquis had approved of his conduct, and it ought to be understood, that he would not have resolved on such a measure as this without consulting some of the officers who were serving with him. Here, then, was a whole division of the army implicated in one transaction. He would, therefore, go the length of entreating hon. gentlemen, for the sake of their own honour and that of the court, to suffer the motion to pass, leaving to future consideration any measures that might appear objectionable.

Mr. Hume said, that no very good reason, and certainly not much conciliation, was offered to induce him to withdraw his amendment. It was called

dis honourable and disgraceful, expressions which he was not accustomed to hear; such words as these sounded rather harshly after the recent peace, of which the hon. chairman had spoken, and which he had hoped would have remained for some time inviolate. Phrases which were calculated to hurt the feelings of any gentleman certainly should not fall from the chair. He spoke warmly; but when a man was stung, it was natural for him to do so. He now begged to remind the court, that he had, before he entered on the subject matter of his speech, called on the hon. directors to suggest, if possible, some plan, some middle course, by which all parties would be united. The invitation was then refused. Now, however, it appeared the hon. chairman was anxious that such a course should be taken, and he certainly had not any objection.

The *Chairman* said, the hon. proprietor had mistaken him. He gave him credit for his motion, and the manly and open manner in which he had brought it forward. He certainly thought, however, that the adoption of it would be a disgrace to the court. These words were not meant in the smallest degree to reflect upon him. He would make no recantation of them; since, in whatever he said, he had only in view the performance, to the best of his power, of a great public duty, and not a design to offend any person.

Mr. *Dixon*—"I hope the hon. chairman's explanation extends to me also."
(*A laugh.*)

The *Chairman*—"I would willingly pay tribute to that hon. proprietor, but he stated, very distinctly, that he had not seen the amendment, and knew nothing about it, which placed him out of the reach of my attack. If, however, he chose to father a child which he never saw before, I hope the hon. proprietor will not take it amiss when I say that it is far from being the handsomest that ever was adopted."

Mr. *Hume* begged to state, that he and his learned friend were prepared to have met the chairman and the hon. directors in any way they might have ventured to suggest, short of giving an unqualified assent to the original motion. To prove this, he had left it to his learned friend to draw up an amendment that would meet the occasion. Such would always be the case, where friendship and kindness prevailed instead of petulance and recrimination. He was ready now to withdraw his amendment, and leave the matter in the hands of his learned friend, who would produce another, which he had no doubt would meet the sense of the court.

Mr. *S. Dixon* was perfectly satisfied. There appeared to be but one opinion in

that court on the question of the military achievements of General Hislop. He was ready to give them every praise, and as they were not asked to bind themselves to the whole of his conduct, he had no objection to the passing of the resolution, a proper qualification being introduced, in order to leave open for future consideration the transaction at Talhier.

Mr. *Elphinstone* did not think that the hon. proprietor (Mr. Dixon) could have read the motion then before the court. It was a resolution of thanks for mere military service, and did not touch on any thing else: yet, strange to say, he seconded an amendment, without knowing how far it agreed with or departed from the original motion. After what had occurred this day, and the various speeches they had heard, he knew not in what situation they left this gallant and unfortunate gentleman. At one moment he was praised, and the next he was abused, as a man would step back for the purpose of striking a harder blow. Could any one, he wished to know, heap more abuse on another, than the two gentlemen (Mr. Hume and Mr. Dixon) poured on General Hislop in the course of their speeches? and all this was done when there was not a sufficiency of information before them to enable them to judge fairly or correctly. If he had acted in the way gentlemen had been pleased to state, then he was no longer fit to be employed in the Company's service, and they might dismiss him; but with his situation in the King's service they had nothing to do. But where was the evidence of his guilt? A great deal might now be said in favour of General Hislop; but another time would answer much better, when there was proper information before the court. He always heard General Hislop spoken of as a humane good man, and he could not sit quietly and hear the character of an absent individual torn to pieces. It was the height of cruelty to prejudge a man's case, particularly when the vote had nothing whatever to do with the question that had been started. It did not touch on it at all. The gallant officer ought to have been suffered to receive the thanks of the court, without any of the acrimonious observations that had been made. The motion did not interfere with the course of justice; for if any accusation was made against General Hislop, it would be heard and decided precisely as if no resolution had passed. When he arrived in this country he must call for a court of inquiry; then, if he were innocent, he would be applauded, if guilty, punished. The resolution would not screen him from the visitation he deserved if he were guilty, then why should it be withheld? The hon. director called on the

gentlemen who made those attacks to place themselves in the same situation as that in which General Hislop now stood, and consider how they would like to receive similar treatment. If they once turned the matter seriously in their mind, they would feel how cruel it was to assassinate the character of a man, who, for fifty years, had borne an honourable name.

The *Chairman*—"I consider that the hon. Proprietors are desirous to withdraw the motion."

Mr. *S. Dixon*—"Yes, it being understood that that part of General Hislop's conduct relative to Tahnier is still farther open to investigation, if it be thought fit."

The *Chairman*—"Perhaps it would be as well to withdraw it without condition, and to trust to the turn the debate had taken to secure the ulterior object."

Mr. *Hume*—"My learned friend will propose a qualification."—(*Call of "question"*)

The *Chairman*—"I ask leave to withdraw the amendment."

Mr. *Hume*—"Gentlemen are calling for question, and I am very ready to have it put. It is in the power of the gentlemen behind the bar to put it to the question, if they are so inclined."—(*Cries of "withdraw!"*)

Mr. *Grant* said, no doubt the question now before the court was open to animadversion, and might either be put from the chair, or, what appeared to be the more general wish, might be withdrawn through courtesy. Under these circumstances, he thought they could not proceed with too much care and deliberation. He must confess it appeared to him, though he meant not to impugn his motives, that the hon. mover had pursued a wrong course, and had mistaken the proper mode of proceeding. He had stated the case as an advocate, and decided on it as a judge would have done, at the very moment in which he proposed that it should be subject to future investigation. He conceived the proper course would be this, and it ought to be managed with all the delicacy imaginable: let it be distinctly understood that this part of General Hislop's conduct was left for future consideration. It was certainly a case that called for, and ought to receive inquiry. If the hon. Chairman, who had acted with great candour and propriety, would state to the court a few words to this effect, it would answer every purpose. There was no intention, he believed, but to satisfy all parties, and this appeared to be the most likely mode of facilitating that object.

The *Chairman*—"I stand in a strange predicament, nothing having been offered on the subject."

Mr. *Hume*—"I wish to withdraw the amendment entirely, and leave it to my learned friend to suggest to you what is necessary on the present occasion."

The *Chairman* said, the hon. Proprietor had stated, that if any thing had been suggested from behind the bar it would have prevented the occurrence of this motion; and it was now intimated, that some words ought to be added to the original motion, containing a cautious reserve with respect to one part of the gallant general's conduct. He was ready to propose an alteration; but, in fact, the credit of the suggestion would remain, under all circumstances, with the other side of the bar, where it had originated. He certainly did not wish to deprive gentlemen of that which they had a right to claim. If the Proprietors could be contented with a few words, which would reserve the subject referred to for future consideration, they might be placed after the proposition now before them. The following reservation might follow the words "terminated in a decisive and important victory,"—"but that this court wishes not to be understood as giving any opinion relative to the surrender of the fort of Tahnier."

Mr. *R. Jackson* said he was highly gratified at what had just fallen from the chair; at the same time, he must observe, that an amendment to the present motion could only come from his side of the bar, without placing the Directors in the extraordinary predicament of moving an amendment on their own resolution; therefore, if any should be moved, it must come from the Proprietors. It gave him great pleasure to state that he essentially agreed in much of what had fallen from the hon. Chairman, and what had been expressed by several of his colleagues. His own feeling, and that of his hon. friend, coincided in the propriety of the form of words which had been first read from the chair. They cheerfully joined in the expression of gratitude which the victory gained by Sir T. Hislop at Mhaidpore so eminently deserved, but they entered their solemn protest against being parties to any approbation, or supposed approbation, of the transaction mentioned in the dispatches in which this most unfortunate *prima facie* case against himself was set forth by the gallant general. Every man who had the honour of Sir T. Hislop and the interest of the Company at heart, knew that nothing could so effectually serve both as inquiry. If ever there was a national question, this was one; for let the anomaly appear to politicians wise or foolish, simple or profound, yet so it was, that in law that court (the court of Proprietors) was the sovereign of India! What then would be said of their conduct were they to adopt the

motion originally proposed from the chair—a motion of unqualified thanks! They would be considered as approving all the acts of General Hislop without inquiry and without reserve. But the resolution, as now likely to be agreed to and placed on their records, would guard their proceedings against any false interpretation. It was every way consistent with propriety and justice; it gave full praise to General Hislop, but it did not commit the Proprietors. Had they proceeded otherwise, their situation would have been that of thanking this officer indiscriminately for his conduct throughout the whole of the campaign, one act of which being, as appeared from his dispatches, the reduction of the fortress of Taluier, and the putting the governor to an ignominious death.—(*Hear! hear!*) This was on record; it was a fact that could not be controverted; for the officer himself had declared it. They might be told that it was approved of by the governor-general, as a military transaction; it might be so, but was that to bind them? certainly not. If all the governor-generals that had lived, from the beginning of time, approved the act as military men, it did not follow that they, as judging and reflecting individuals, were not to examine minutely into such a case, and form their own opinion independently of all other authority. Look to the state and feelings of Europe respecting the late melancholy transaction in America, to which his hon. friend had called their attention, in a speech as perspicuous as it was felt and acknowledged by the court to be temperate and candid, the moderation of which he was anxious to emulate, but knew he could not exceed. He could not, he feared, take so powerful a hold of the feelings of his auditory as his hon. friend had done; and yet there were twenty topics connected with this subject, calculated to excite the strongest sensations, but he was prevented from touching on them, partly by the admirable address of his hon. friend, who had left no point without its due comment and its proper illustration, and partly from deference to the hon. Chairman, who had rightly observed that a more proper time would arrive for inquiry. It was absolutely necessary, that men in high situations should, for their own honour, be ready to give fair and substantial reasons for every part of their conduct which called forth observation, to state under what authority they had acted, and to declare on what ground they had adopted particular proceedings. Such an explanation they required from General Hislop, before they proceeded to an unqualified vote of thanks, and he conceived the directors themselves must applaud their determination. The proprietors

gave the executive body credit for honourable conduct; and they, in return, expected the Court of Directors to give them credit, for feeling a just desire to appear before the great body of the British public, a wise, a temperate, a consistent assembly. He should presently, in his own justification, read the amendment he had intended to propose, which briefly marked his view of the case. It was perfectly in unison with the few words that had been suggested by the hon. Chairman, though rather more full. The great feature in this case was, that the question was purely national. If the Company constituted only a private society, their resolution would be infinitely less important; but if they, possessing as they did the seal of sovereign authority, approved of this act of Sir T. Hislop, how could any Englishman raise his voice against the murder of Ambrister and Arbuthnot!—how could he call for vengeance against those who had perpetrated that act, who should, without inquiry, vote his unqualified thanks to General Hislop, under whose own hand they had the acknowledgment, that he caused this unfortunate Killedar to be executed without trial, and after he had surrendered himself to the adjutant general? What would be said in the House of Commons, if they, sitting in that court, were thus to commit the national character? Would that house endure that the Proprietors of East India stock should so indiscreetly apply their deliberative functions, as to stop, as it were, the expression of the higher opinion of the British senate? The national character of America, as his hon. friend had truly said, was now trembling in the balance. If the American government avowed the deed which had excited so much abhorrence, then it was no longer the act of General Jackson, it became theirs; and, in the same manner, if the court of Proprietors approved of this deed in question, then it ceased to be the act of General Hislop, and became that of the East India Company! To them, as well as to the gallant general, character was every thing. It was, indeed, “to man the immediate jewel of their souls!” It was to that he looked to preserve the character of the court unsullied. He trusted that of General Hislop would turn out equally pure; but he thought the court would deservedly call down upon itself the indignation of Europe and their country, if after that the conduct of the Americans, in the case of Arbuthnot and Ambrister, had been so loudly and generally questioned, they at the very time should approve of an action which, until explained, must appear equally reprehensible. Of the transaction he wished to say nothing beyond what General Hislop

had placed on record. With respect to Gen. Hislop himself, he (Mr. Jackson), more perhaps than any other gentleman in the court, ought to have credit for impartiality, for if there were one man in India who could, more than another, serve and assist an individual deservedly dear to him, whose happiness and whose interest were most near to his heart, that man was General Hislop. The youth to whom he alluded had commenced a career of honour under circumstances the most gratifying. He had, with a few others of his youthful compeers, been deemed worthy of special thanks by men of no mean consideration, men who would not lightly confer such a mark of distinction, by their own immediate commander Major Oliver, by the commander of the district, by the commander-in-chief, and lastly by the governor in council; and yet, notwithstanding the flattering notice, so grateful to an aspirant after fame, he (Mr. Jackson) was confident that his nephew, for of him he spoke, could only advance in the proportion in which he obtained the countenance of Sir Thomas Hislop. His own apparent interest, therefore, were he mean enough to consider it, would have been to have spoken of General Hislop in language as glowing and as unqualified as that which the executive body had adopted in their original resolution. But had he pursued such a path, he would have been, for the first time in his life, preferring private interest to public duty, and considering the fortunes of a relative when he should have been thinking only of the honour and character of the Company. The learned gentleman then read the words of an amendment he had prepared, and which he originally intended to move, and to shew its accordance with the suggestions of the hon. Chairman, to whom he should readily give way. The amendment went to acknowledge the distinguished services of General Hislop, particularly for the battle of Mhaidpore, in nearly the same words as those of the original resolution proposed by the Directors, but expressly forbearing to offer any opinion upon the painful occurrence on the fall of the fort of Talnair; adding, that looking to the high character of Sir Thomas Hislop, the court could not but flatter itself that further and more detailed statements would satisfy them that no transaction had taken place which compromised the British character, or that of the Indian army, hitherto so eminent for humanity and good faith. He (Mr. Jackson) would most readily, though these words satisfied his judgment, resign them in favour of any other form that might be adopted, provided its tenor and spirit were the same. What he wished was, not to appear ungrateful to a gallant officer, or

insensible to his general merits, but at the same time he was anxious not to commit the court to an unqualified vote of approbation. It had been thought wrong in his hon. friend to allude to a private letter; his hon. friend had only alluded to it as a document favorable to General Hislop. He (Mr. Jackson) had seen a similar document, and when he assured the court that it spoke most favourably of this gallant officer, perhaps he should be excused if he noticed it. From this letter it appeared, that no man could express greater regret than he did at putting the unfortunate garrison to the sword; but he could not repress the fury of the soldiers, when they beheld before them the mangled and bleeding bodies of their beloved officers, who had so often led them to victory, pierced by the daggers of those whom they regarded as treacherous! The gallant officer hastened within the walls in order to prevent the slaughter which took place in the fort! Happy indeed would it have been, if in this moment of phrenzy it had occurred to General Hislop, on finding it impossible to restrain his men, that the brave Killedar had been equally unsuccessful with his Arab soldiers, in inducing them to follow his own example and surrender. This Killedar was, Mr. J. believed, Sir Thomas's equal in military rank, and his superior in political station, as governor of the fortress: might he not have also found it beyond his power to control the passions of his troops? If General Hislop could not compel the forces under his authority to obey command, and be merciful, neither perhaps could this unfortunate officer control his turbulent and revengeful Arabs?—*(Hear, hear!)* If this were so, and it was a fair presumption that it was, he was sorry that some better and gentler course of proceeding was not taken with respect to the Killedar; surely, surely the shades of colour, the tinge of the cheek, could not so alter moral obligation or relative duties! He should conclude, satisfied with the alteration that had been suggested by the hon. Chairman. His end was accomplished, if he could but save the Company from plunging themselves into a situation that never could be retrieved. He disclaimed personal feelings; he was only anxious, for the sake of all parties, that this unfortunate occurrence should be explained. Happy would he be to hear a satisfactory statement of the affair from Sir Thomas Hislop, whom he always considered a gallant, courageous, and skilful soldier.—*(Hear, hear!)*

Mr. Hume moved that, to the resolution on the table, these words be added: "but that this court wishes to be understood as not giving any opinion relative to the circumstances attendant upon the capture of Talnair, until full-

"ler information respecting it than is
"afforded by the papers now before the
"court shall be furnished."

Mr. S. Dixon seconded the amendment. He was glad to find that the hon. Chairman had suggested a method which he thought would induce the proprietors to vote unanimously.

Mr. Inglis observed, that the original motion was, in his opinion, a very good one, and did not need this addition. Nothing that he had heard during the day, however eloquently urged, had changed his sentiments; nothing had been offered that could induce him to compromise his feelings. Notwithstanding the pithy address of his learned friend, he confessed he was so obstinate, or so dull, that it made no impression whatever on him, and yet he had listened to it with profound attention. The hon. Chairman, in his first address, placed the whole question on fair ground; and he (Mr. Inglis) had hoped that his address would have satisfied the court so far, that the naked question alone, unclogged with any addition, would have been put to the vote and carried. This might have been done, gentlemen reserving in their own minds, if they deemed it necessary, the right to call for investigation at a future period. In arguing the whole of this question, a point of very considerable importance had been omitted, a circumstance that ought, and he trusted would have very considerable weight. Since this transaction had taken place, this gallant officer had been raised to the highest military honour at which any man could arrive: (*Hear, hear!*) he was decorated with the order of the Bath, and stood before them bearing the mark of his sovereign's approbation.—(*Hear, hear!*) No trifling service, no doubtful character, could hope for such an honour. Surely, if there had been even a suspicion that he had acted wrong operating in the mind of the Commander-in-chief, so high a dignity would not have been conferred on him.—(*Hear, hear!*) Another point which also had not been touched on was this, that General Hislop would be justified by military men for the act he had done, and the opinion of the Commander-in-chief had, in fact, afforded him a justification. He therefore did not think that they had a right, by introducing any qualification whatever, to throw a slur or cast any reflection on him, which the proposed addition certainly would. Neither did the censure stop there; it attached itself at the same time to the Commander-in-chief in this country, and to the governor-general in India, the latter having approved of the act, and the former having considered Sir Thomas Hislop, long after the circumstance, worthy of his sovereign's royal favour. Besides, was

not this proceeding premature; was it not in some degree prejudging the case, when they knew that, in all probability, it would be brought under the cognizance of the great counsel of the nation? He was wholly hostile to, and begged to guard himself against any participation respecting the opinions which were urged in order to secure this qualification. He protested against this proceeding altogether, as unjust and ill-timed; and he would say, if Sir Thomas Hislop, a brave and gallant soldier, were not perfectly cognizant of civil duties, still let them recollect his services, and cover his failings with the laurels of his victories. But he (Mr. Inglis) knew a good deal of Gen. Hislop, and he knew that he combined great talents as a military man with very correct ideas of civil government; and he displayed qualities of the latter description which would not have disgraced any man, in a situation when particular coolness and a high degree of circumspection were necessary. Of course gentlemen might adopt any line of conduct they pleased, but he would not be bound by the resolution, as it was proposed to stand, farther than as one of the Court of Directors: his opinion was decidedly opposed to it.

Mr. Elphinstone said he could not by any means bring himself to join with the court in this amendment; it was perhaps as moderate as it could be, but still he could not concur in it. General Hislop, whenever he came home, must himself apply for a court of inquiry; he could not sit down under the imputations which had been thrown out against him: he would therefore put it to the honour and candour of gentlemen to consider whether this amendment, which evidently insinuated something against Gen. Hislop, did not prejudice the question; did not give a side-wind opinion on a question which would be agitated elsewhere? General Hislop must have his conduct inquired into; he could not, even if he wished it, avoid examination: but he was convinced that gallant officer would, at the proper time, court and not shrink from it. Surely, observed the hon. Director, gentlemen could not have read the original motion. It was directed solely to General Hislop's military achievements, and therefore rendered this amendment unnecessary. If they meant to insist on it, he felt, as a conscientious man, that he must withhold his vote.

Mr. Hume said, no man in that court paid more respect than he did to General Hislop. He knew many individuals, friends of his own, who revered that gallant officer, therefore he would be the last man to insinuate any thing prejudicial to his fame or painful to his feelings. But the objections raised by the hon. Di-

rectors were not substantial. Those who proposed the amendment did in fact completely meet the views of the executive body. They did not criminate General Hislop, but they left the matter open for inquiry. It was a prudent course, by which they avoided committing themselves rashly and hastily; and on the *prima facie* shewing of the General himself, every Proprietor ought to concur in it.

The motion of thanks was then put from the chair, and carried in this its amended form:

“Resolved, that the thanks of this court be presented to Lieut.-Gen. Sir T. Hislop, Bart. G.C.B., for his distinguished and successful services during the late campaign in India, and particularly in the battle of Mhaidpore, fought on the 21st of Dec. 1817, by the forces under his immediate command, against the army of Mulhar Row Holkar, which terminated in a decisive and important victory:

“But that this court wishes to be understood as not giving any opinion relative to the circumstances attendant upon the capture of Tahnier, until fuller information respecting it, than is afforded by the papers now before the court, shall be furnished.”

The *Chairman* then moved:

“Resolved, that the thanks of this court be given to the general, field, and other officers, both of his Majesty’s and the Company’s forces, for their gallant and meritorious conduct in the field during the late campaign in India.”

The *Deputy Chairman* seconded the motion.

Mr. Hume said, he should be extremely sorry on this occasion to trespass long on the time of the court; but he would appeal to every hon. gentlemen present, whether they should proceed to a mere naked vote on a question of this kind, or whether they ought not rather to pay some tribute of respect to those gallant officers for their various successful services? As the friend of their military force in India, who had risked their lives in supporting the Company’s interests, he did think that some tribute of applause, some mark of gratitude, ought to be conferred on them. He would in a few words perform his duty towards those brave men, and he hoped the court would concur with him in thinking, that however high the character of the two commanders-in-chief, to whom they had just voted their thanks, might and certainly did stand, however worthy they were of the praise they had received, still it must be evident to every person, so evident that those who saw might read, that without they had able officers under them,

without they had gallant men to second their designs, generals would be nothing! He therefore thought that those who had borne the brunt of the service, whose toils were almost without end, ought to be greeted with a full share of the honour which attended their achievements. In bringing forward this subject to their notice, he begged to observe, that in no service under the British crown, in no service under any state in the world, was more perseverance, more coolness, more patience under difficulties displayed, than was manifested during the late short campaign; no greater example of those military virtues was perhaps ever shewn than was exhibited during that severe though brief contest. He deplored the necessity that called for such exertions, but he could not approve of coming to a cold abstract vote, when such an immense body of military men, men of the first talent, were actively employed, and had a right to expect some slight return of gratitude for their exertions.—(*Hear! hear!*) Such men as Sir John Malcolm, General Doveton, General Smith, General Munro, General Pritzler, and various other distinguished individuals, surely such great characters as these ought to be specifically noticed. Even those who were placed at a greater distance from the scene of action ought not to be passed over in silence. It was their misfortune if they were not in the midst of active service, it was matter of regret to them if they were not actively employed in the field! Sir David Ochterlony was most meritoriously employed, but, like others, at such a distance from the scene of actual operations, that he had had no opportunity of distinguishing himself. If the whole of the campaign were considered in this point of view, it would be doing nothing more than justice to many individuals beyond those he had mentioned. It would be found, that in no instance had any want of that active and heroic spirit, which appeared to nerve their army and to fire their commanders, from first to last, been observable. The greatest bravery had marked their conduct, and they had proved themselves every way worthy of their highest thanks and most marked attention. He was sorry, therefore, that it was found difficult to distinguish them by name. He hoped, however, that at a future time some means would be taken to place on record the gallant deeds of those honourable men, who performed so many brilliant actions, the accounts of which, he begged to observe, they received in a garbled, interrupted, and very unsatisfactory manner. He well knew the feelings of their officers in India, and their greatest desire undoubtedly was to live in the minds of their countrymen hereafter, to be read of when swept

from the scene where they had acted so busy and so useful a part, to preserve that honour and character which they had so nobly won without shade and without suspicion. These objects he hoped would be effected, by means adopted by the court of directors themselves, or suggested by others, in a manner more satisfactory than had heretofore been the case; in a manner that would clearly prove that the gratitude which the Company owed to those individuals was felt in their hearts, and was not confined only to their tongues.—*(Hear, hear!)*—The hon. gentleman again apologised for detaining the court; but observed, that he had too high a sense of the merits of those whom he had eulogised, to suffer a motion like the present to pass without such observations.

The *Chairman* said, that however desirable it might be to pay a tribute of praise to every individual who had distinguished himself in the late campaign, it was next to impossible to carry such a purpose into effect. The reason was obvious. With the best intentions in the world they might wish to enumerate all who had deserved well of the Company, and if in doing this they omitted a single individual, would they not be taxed with the grossest injustice and partiality?—*(Hear, hear!)* Neither ought they to forget this point, that very great, but, at the same time, most deserved honour was conferred on the Indian army for their late achievements, by the distribution amongst them of many crosses of the Bath. Their sovereign, in the person of the Prince Regent, had fully expressed his opinion of their valorous conduct, and he did not think, under all the circumstances, it was possible for the Company to go farther than they had done. He trusted the general vote which he had moved would be received with pleasure by those honourable persons whose actions were thought of with gratitude by the Company, and were recollected by the country with feelings of the highest admiration.

The resolution was then carried unanimously.

The *Chairman* then moved:

“That this court doth acknowledge
“and highly approve the zeal, discipline,
“and perseverance displayed by the
“non-commissioned officers and privates,
“both European and native, employed
“against the enemy during the late
“campaign in India, and that the thanks
“of this court be signified to them by
“the commandants of the several corps,
“for their exemplary and gallant behaviour.”

Carried unanimously.

Mr. *R. Jackson* now rose and reminded the court, that he had formerly given notice of his intention that, when the other

resolutions should have been gone through, he would submit a motion more immediately relative to those very gallant and praise-worthy officers, a general vote of thanks to whom had just been recorded. But he wished to assure the hon. gentlemen behind the bar, that, in no instance, when he referred to those meritorious individuals, did he mean to insinuate that the respect and esteem of the directors towards them was in any degree less than his own. He presumed that the directors considered themselves bound by rules of etiquette, otherwise he felt assured that they would have had great satisfaction in naming certain officers whose merits had been so conspicuous throughout the war. A mode had however suggested itself to him (Mr. J.), which he thought would testify a more earnest acknowledgement to that galaxy of heroes, if he might use the expression, than was conveyed by the general resolution. It had happened, from the nature of the late glorious and arduous campaign, that a greater number of younger officers, he meant with respect to rank, had been entrusted with detached commands, than had been known in former wars. No gentlemen could travel through the despatches as he had done, without being struck with the conduct so far above the years and experience of many of those who had acted in very critical situations. Their noble behaviour, under all circumstances, whether of prosperous or of adverse fortune, had been such as to command the admiration of every honourable mind. They had displayed all the good qualities of excellent soldiers, brave in battle, moderate in victory, and patient and unshaken under discomfiture. It was not possible for him, in so brief and passing a notice of the events of the last campaign, to point out all those that were meritoriously engaged in it. Among such he was bound to notice the political agents, who could not be included in a resolution which referred only to military men, although their merits were of a transcendent description. The Company had, by raising Mr. Elphinstone to the government of Bombay, proved appreciation of his services; they were also under very great obligations to Mr. Jenkins, and several other gentlemen, whose merits he conceived should not be passed over. It had occurred to him (Mr. J.) that it would be a most acceptable compliment to all the gentlemen to whom he had alluded, military and civil, and at the same time creditable to the general court, if they should order to be selected such dispatches from the general mass as best recorded the principal transactions of the war, and made honorable mention of those whose conduct had contributed to its success. This summary he wished to be printed, with a suitable map and glossary. The

Company, he believed, had servants in the house who could furnish the map; but if not, an ex-director, an hon. friend of his (Col. Allan), who had recently favoured the public with an excellent map of Hindoostan, would, he could almost answer for it, undertake that part of the work. If this were merely done for their own use and convenience, it would be a pleasing and valuable collection; but his purpose was, that the volume, when handsomely bound, should be presented to every person of whose name honourable mention was made, as an acknowledgement from the East-India Company of the high sense they entertained of the services performed, and as a proof, a small one perhaps, of the grateful remembrance which the proprietors retained of their laudable exertions. Let the court consider whether some beneficial, as well as pleasing consequences, would not be derived from this measure? To the friends of those gentlemen, a vast number of whom resided in this country, nothing could be more acceptable than this record of the fame of those so dear to them. From the Marquis of Hastings down to the youngest subaltern, they would be pleased with a document so flattering: it would be to them a standing recognition of their worth, an honourable heir-loom, which they would never suffer to go out of their families. It would be useful, he should hope, as well as gratifying to the younger officers just entering on the path of glory, and who had, he trusted, a long and splendid career before them; as when they should hereafter seek for just and honourable promotion, it would be something to open this volume, and satisfy those who sat in judgment on their claims, of the strong grounds of their pretensions. "You ask," one of them might say, "for some proof of my abilities and conduct: it is here; this book will shew you under whom I fought and how I acted in 1818; mark what my commander says of me. I was one of those whose services called forth the resolutions which were passed in the general court, on the 4th of Feb. 1819." Such a document would be considered far beyond the value of gold in the estimation of men to whom fame was wealth; their children would refer to it with feelings of honest pride, and exult in a record which showed in terms so flattering, who their fathers were. He begged to remind the court of what had fallen from an hon. director (Mr. Grant) on the preceding day: it was an observation worthy of the utmost attention. The hon. director anticipated, that in the course of a few years, India would again be the scene of most serious military transactions. True: no person could hope to see the affairs of that great empire finally prosperously settled, without the occurrence of circumstances, that would perhaps again demand all our ener-

gies and resources, political and military! Should such be the case, could the court imagine a more powerful stimulus to exertion, than the hope that merit would be publicly and permanently recorded? Would it not fill him with generous ardour, with noble emulation, at the name of each deserving individual thus held up to honourable distinction? He could anticipate no possible objection to his motion, which, after having considered in every point of view, and consulted with those well acquainted with the feelings of the army, appeared to him fraught with beneficial consequences to themselves and to others, as well as to those whom they wished to gratify. The learned gentleman then moved, "that this court, in reviewing the history of the late short, decisive, and victorious war, forced upon them in defence of their own honour and the personal safety of their subjects and allies, cannot but be struck with admiration at the brave, wise, and exemplary conduct of their officers and agents, military and political; that the nature of the campaign, by requiring a great number of detached commands, afforded opportunities to many young officers of shewing how much they had profited by the instructions of their superiors, and with what devoted zeal they emulated their glorious example."

"That this court, anxious to publish and to hand down their sentiments to posterity, request that the court of directors will be pleased to order that such dispatches as best record the fame and gallantry of individuals, may be printed, with a proper map and glossary, for the use of the proprietors, and that a copy of such work, handsomely bound, be presented to each officer and political agent, of whom honourable mention is made in the said dispatches, or to the nearest relative or representative of those who fell in battle, or are since dead, as a mark of the high estimation in which their services are held by the East-India Company."

Mr. Hume seconded the motion.

The *Chairman* said, the present motion was so great a novelty, that it would have been well if it had been brought forward at an earlier period. Of necessity, several persons, who had been highly instrumental to the success of the campaign, had not, in consequence of peculiar circumstances, been brought into prominent notice; and as they would not therefore, though they were amongst the most deserving, come within the scope of this motion, they would conclude that they were treated with slight: thus an unpleasant feeling of jealousy would be implanted in the minds of some of the most useful and intelligent individuals in their service, because they were not called into action, and had not been afforded an

opportunity of having their names mentioned in the dispatches, a circumstance that would probably create considerable embarrassment to the court. That distinguished hero Sir David Ochterlony had not taken any part in the late war. (Mr. Hume said, he had been employed.) If (continued the Chairman) gentlemen go back to the Nepal war, they may, by the same rule, take a retrospect embracing the former war with the Malhrattas, and even vote a present of this kind to every man now living who acted in the time of the late Lord Clive. There would be much inconvenience in such a proceeding, and therefore he wished the learned gentleman would abandon his intention. He admired the learned gentleman's motive, which was every way pure and worthy of his character, but his plan was fraught with so much difficulty that he hoped he would not press it.

Mr. Hume was satisfied with the statement of his learned friend, which proved the benefit that his motion, if agreed to, would effect; but still, after what had fallen from the hon. chairman, he wished to express his own feelings on this question. A few days ago he was speaking with a general officer on this subject, and he said, that the dispatches relating to warlike affairs in India, from the irregularity of their conveyance, and from the mutilated manner in which they were sent forth to the world, either by means of the court of directors or of the board of control, were completely unsatisfactory. He (his informant) considered them to be unfair towards military men in India, and that their conduct was not placed before the public in that detailed and copious manner which their exertions deserved. With all submission to the opinion expressed by the hon. chairman, on the mode of signifying to their officers the sense they entertained of their skill and bravery, he did not think there was any great weight in his objection. With respect to Sir David Ochterlony, a duty, and a most important duty, was confided to him in the late war; and if the campaign had taken the turn it was expected to have done, he would have been the very man to have intercepted the enemy in the west. But the great difficulty seemed to be, the fear lest any individual should be forgotten in the distribution of this mark of honour, and thus a degree of jealousy and distrust be engendered. Now this, he conceived, could very easily be got over, by adhering to a strict rule adopted in military affairs. By that rule, every man who was with a detachment, at the period of service, had a right to claim prize-money; and every man, in this case, who had been actively employed with his corps, was entitled to praise and reward. Something like a plan, some-

thing like a regular detail, might easily be drawn up. He hoped, though this was an innovation (a fearful word in another place, but which, he trusted, created no terror in that court) that it would be acceded to, and that they would not refuse to bring honourably before the public view the merits of individuals who had borne every hardship, or faced every danger, in defence of the Company. Surely they would not do so, on the weak ground that some little difficulty would attend the arranging and printing of those books. He did not doubt but that two gentlemen, who were now present, he meant Col. Allen and Col. Taylor, were, as soldiers, aware of the deficiency which his learned friend wished to provide for. If there were any trouble in the business, he could almost pledge himself that they would cheerfully undertake it, and assist, with their best abilities, the efforts of the Company to shew their gratitude to a number of gallant officers. He wished it could be manifested to every single individual, but he knew it could not be expected in that general and extensive way.

Colonel Taylor said, if it were feasible, he should be very happy to accede to his learned friend's motion, because it would be gratifying to many individuals whom he had the honour to know, and whom he greatly esteemed; but difficulties were opposed to the proposition, which, he thought, could not be overcome. He objected to the motion, because, of necessity, it could not include a number of officers who had served the Company most meritoriously. An hon. friend of his, who had lately become a member of the court, had served from a very early period to the present moment, and yet, such was his situation, that he would be excluded from this arrangement. By this new system, they would cast a stigma on many of their oldest and best officers; on such men, for instance, as General Brown, whose conduct, in former times, had led to the victories of the present day. Indeed, were they to adopt the proposed principle, they would hurt the feelings of some of the highest and most meritorious officers in the Company's service. For his own part, he lamented that the Prince Regent, in conferring the honours which had recently been distributed amongst their generals, had not commenced with those who laid the foundation of their greatness and led the way to their glory! Though he felt the highest respect for those officers who were the object of his learned friend's motion, still he thought such a mark of respect could not be paid to them without stigmatising, in some degree, many individuals who deserved equally well of the Company. As a military man, he conceived there was something almost ridiculous in the motion,

If every subaltern were obliged to carry this book about with him, in order to read over his achievements when he retired to his quarters, he was afraid they would be called on to grant an increase of pay, in order to meet this additional expense.

Mr. *Grant* gave every degree of credit to the motives which actuated the two hon. gentlemen, but he thought it most advisable to pause on a matter of this kind. The distribution of military distinctions was not so easy as gentlemen seemed to imagine. The proposition was soon made, but it was not quite so easily accomplished or got rid of. They (the Company) ought to follow the example of great governments in conferring such distinctions; and even then, cautious as such governments were, they sometimes fell into errors. If the Company distributed a mark of approbation amongst those to whom chance had afforded an opportunity of service, would they not wound the minds and feelings of those young men to whom a similar opportunity did not occur! Take the battle of Waterloo, for instance, one of the greatest that ever was fought. Was it not known that some gallant officers obtained, on that occasion, what was denominated a distinction of good fortune. They happened to be employed on the field, while other officers of equal merit, who were occupied elsewhere, on important stations, were deprived of this badge of honour. This surely was rather a distinction of good fortune than of peculiarly valuable service! But by the terms of this motion, the distinction must extend so far, that it would lose much of its worth in the eyes of those on whom it was conferred. It was to be distributed amongst the whole of the Company's army who had served in the late war. If they conferred this mark of approbation on every subaltern in that large body of troops, it would become so common that no one would prize it. He was ready, and indeed most anxious, to do every justice to the officers and men engaged in the recent contest; but let the court look but a little way back, and they would contemplate a more arduous service than that which had just been completed. The conflicts which the Company's troops had with the mountaineers of Nipal were more severe than those in which they had been lately engaged, and the difficulties they had to overcome were infinitely greater; but all these were passed over without notice, as if unworthy of regard. What would the officers who had been engaged in that contest feel, if, in a few months afterwards, the court were pleased to grant an honour to others which they had refused to them? Would they not have good reason to complain of partiality

and injustice? With respect to the present which it was proposed to make on this occasion, he confessed he did not approve of it; he did not think that calling in the aid of the stationer, the printer, and the book-binder, was a very happy mode of rewarding the labours of military men, however applicable it might be to those who acted in a civil capacity. In conclusion, the hon. director expressed a hope that the learned gent. would not press his motion.

Mr. *S. Dixon* had no doubt that his hon. friends were influenced by the best and purest motives. He could not, however, agree to the motion, which was calculated to excite jealousy amongst their troops; for every officer who had not the good fortune to have been actively employed in the late war, would be overlooked, and thus his feelings would be wounded and his pride mortified. This motion also seemed to state, what he was not prepared to admit, that the exploits of the last war were greater than those which were achieved in that which preceded it. (Mr. Jackson "I do not say so.") Mr. *Dixon* admitted that his learned friend did not say so; but the fact of heaping honours on those who were engaged in the late war, while the officers who brought the former contest to a conclusion were unnoticed, spoke sufficiently plain on the subject. The history of the wars in India had been matter of surprise and admiration, from the time of Lord Clive to the present moment. In wars before the late contest, as great efforts had been made, and as mighty results obtained, as those that were now produced. Those who had assisted in obtaining such successes, and who could not receive any honourable notice under this resolution, if they felt as they ought to feel, could not but complain that their minds were hurt and soured by such an unfair distinction, and therefore he hoped his learned friend would not press his motion. At all events, in one respect, he was sure that he would not; for it appeared, that not only the officers, but the qualified proprietors were to be presented with copies of this book. Now he was at a loss to know what the proprietors had done, either in India or this country, to entitle them to such a distinction. (*A laugh.*)

Mr. *R. Jackson* said, in reply, that he had not brought forward the motion without due thought and proper deliberation, after having consulted with veteran and general officers. It was well for those who could find no sound argument against it, to treat it with levity. There were men of such cool temperament, of such sober and measured habits, that they were not to be moved even by the warm impulse of gratitude, or induced to listen to the

dictates of a generous policy, unless an exact precedent could be produced. The court of directors could not have been unprepared for this motion, novel as the subject was now said to be, for no less than three months before he had stated his intention of bringing it forward, and had called the particular attention of the proprietors to the substance of what he intended to propose, in order that it might be perfectly understood. It would perhaps have been candid if the gentlemen behind the bar had then given him some hint of the objections which they entertained against it. The hon. chairman now said "this is a novelty!" He (Mr. Jackson) would maintain that it could not be an entire novelty, since they were in the daily habit of causing extracts from dispatches and other documents to be printed for the use of the proprietors. It was next objected, that it would be invidious to name some individuals, and to leave out others equally meritorious: to this he would answer, that those who made the objection had not read his motion. By the very terms of it, the difficulty which it was said would occur in the nomination of officers was wholly avoided. It recommended that the work should be presented to every officer and gentleman of whom honourable mention was made in the dispatches, so that the selection was ready to their hand, and they were not called on to name any person. By this simple mode, every officer, from the Marquis of Hastings down to the youngest subaltern, who had been thus distinguished, would receive this compliment. It was most extraordinary, after all the glowing eulogiums, after all the lofty panegyrics that had been pronounced on the achievements of their army, that this slight mark of respect should be refused. Let them look to the battle of Nagpore, described by the Commander-in-chief as an instance of such consummate skill and valour, as could not be exceeded by any action detailed in the whole course of their annals. They had on their table the dispatches which painted that battle as one gained by a handful of British troops over a large army! and yet, when it was proposed to offer a feeling and acceptable mode of thanking these who were engaged in it, he was told, that his plan could not be acceded to, because "it was invidious towards those who were not mentioned in the dispatches;" nay, it was even said that it was invidious to those who had fought in former wars, from those of Lord Clive to the last campaign. He denied that this could justly produce any such feeling. If they thanked individuals specifically for their conduct in the late war, how was it invidious towards those who had been employed in other wars? They were referred back to

the Mahratta war, to the Marquis Wellesley's wars, even to the wars under Lord Clive, and then exclaimed the chairman, somewhat sarcastically, what a shame it would be not to include the surviving officers who took a part in those contests! He knew he was speaking to a bit of a logician, and of course the hon. chairman must know that he offended against one of the first rules of right reasoning, when he resorted to extreme cases, which always defeated themselves. Now, if one case could well be more in the extreme than another, it was that which set forth "that you cannot thank those who fought in 1818 without insulting those who fought in 1757;" and yet government, it appeared, had assumed the courage to deal out their favours, without being deterred by difficulties of the nature which so alarmed the chairman and his hon. colleagues! Government had granted the honours of personal decoration to those who fought at the battle of Waterloo, without taking notice of other battles, or those who had signalized themselves in them, though at no great distance of time. They never calculated, when they gave the order of the Bath to some officers who had served in India, how much others might feel who were passed by. Neither had a former Governor-general, when giving a medal to every private who fought at Seringapatam, dreamed that he was insulting the memory of the heroes of Plassey. But, asked an honorable director, is this literary compliment a fit reward for military men? His (Mr. J's.) answer was, "it was not intended as a military reward, but meant to encourage their civil and military servants, by shewing how highly they were esteemed by the great body of the proprietors, who, as if anxious to make some atonement for silence in other quarters, offered them this unostentatious testimony of record." He conceived that a great want of candour had been evinced on this occasion. It was known to the directors three months ago that such a motion would be submitted to the court. In common courtesy the gentlemen behind the bar might have intimated to him their objections, if they had any of weight; but in fact they could not raise any: they had spoken that day evidently without having considered the subject, and the absurdity of their illustrations shewed how much they were driven for argument. He had no hesitation in saying, so strong was his sense of what was due to the executive or any government, who perhaps had a better opportunity of weighing probable consequences than those who formed the popular part of their constitution, that he would have listened with great respect to any suggestions which they

might have made; and even now, when they came forward and stated that inconveniences would follow the adoption of his motion, he felt bound to pause, though it was the pause of confidence, not of conviction, for none but the most puerile objections had yet been made. The hon. col. (Taylor) seemed determined to outdo the chairman in extravagance of illustration; he had gone a step farther, and figured the hardship upon every subaltern, who would have the trouble and expense of carrying this volume about with him on a march. But would the subaltern be of necessity obliged to carry it with him to camp, if so very irksome? Or were there no coolies or bearers, no beasts of burden, no bullocks or elephants employed in carrying the necessities, and even the luxuries of a numerous army. The hon. colonel perhaps recollected the maxim, that it is the last feather which breaks the back of the animal, and thought they might load an elephant to so nice a point, that the additional weight of a book would break him down and destroy his efficiency for the campaign. Absurdities like these, of course, had no weight with him; however, if he withdrew his motion, he begged it to be understood as an act of present deference to the executive, but as by no means conclusive of the subject. If, on the contrary, the generous feelings of the proprietors should hereafter prompt them to shew, in some way or other, their gratitude to such men as Malcolm, Doreton, Smith, Pritzler, Munro, McDowell, and others, who had formed for themselves characters in history, in such case he desired it to be understood that the line which he had pointed out, or any better course, was still open to them. He had conceived, and he was still of the opinion, that his plan would have been highly acceptable to those to whom it referred, as full of affectionate respect on the part of the proprietors. It had been described by an hon. director as turning the army over to the bookbinder for their reward; he had no answer to make to so cold a remark. If the hon. director thought the gift poor, why had not he, whose immediate province it was, come forward with something like warmth of feeling towards their army, and proposed something better? Did he imagine soldiers so indifferent to the record of their own and their comrades' exploits, as to look to the binding of such a work rather than its contents? In bowing, therefore, to the appeal which had been made to him from the chair, he frankly acknowledged that he sacrificed his wishes and his judgment to an authority which he found it hard to resist.

The Chairman thanked the learned gentleman for his courtesy in giving up a
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proposition which he thought so important. He received his declaration with great satisfaction; and could assure him, that he respected his motives, though he could not support his plan. The motion was then withdrawn.

MR. CAMPBELL'S CASE.

The gallery was ordered to be cleared by the chairman, who during our absence laid before the court the following letter, which had been received from Mr. R. Campbell, an ex-director:

"To James Pattison, Esq. chairman of the Court of Directors of the hon. East-India Company.

"Sir:—I have waited with anxious expectation the arrival of the bonds and accounts referred to in the concluding paragraph of my letter to the Court of Directors of the 29th May last, which, were they here, would prove, that while the account of the transactions with the Zemindar of Vizianagram has been grossly exaggerated, the character of those transactions has been greatly mistaken: but as those documents, although Mr. Collector Smith appeared to have been instructed to prepare attested copies and translations of them so long ago as the month of November 1817, have not to the present late period arrived; and as I am desirous of submitting my conduct, on an occasion which has been much misrepresented, and but little understood, to the proprietors of East-India stock, previous to offering myself to their notice as a candidate at the approaching general election, I have to solicit the favour of you, Sir, to appoint a day for laying before a general court of proprietors those papers which have already arrived from Madras, and to which, by your secretary's letter of the 1st May last, I was permitted to have access, together with such others as I may produce in justification of my transactions with the Zemindar of Vizianagram.

"I have the honour to be, Sir,

"Your most obedient servant,

"ROBERT CAMPBELL.

"Argyll-street, February 4, 1819."

Friday the 19th instant was appointed for taking Mr. Campbell's letter into consideration.

THANKS TO MR. ELPHINSTONE AND MR. JENKINS.

Immediately after the discussion on Mr. Campbell's letter, while strangers were yet excluded from the court, Mr. *Wedding* rose to say a few words on a subject that appeared to him closely and indispensably connected with the vote of thanks which had been passed that day to the officers of

the British army in India. He had been led to expect, from the speech of the learned gentleman (Mr. Randle Jackson) the day before, that it was his intention to propose a vote of thanks to the Hon. Mr. Elphinstone and Mr. Jenkins, civil servants of the Company, who in their character of political agents had so eminently distinguished themselves during the late campaign in India. Finding himself disappointed in this expectation, and the court about to separate, he could not suffer them to depart without making a few observations on the occasion. Filled with admiration, as he was, at the general proceedings and results of the campaign, he was particularly struck with the great merits of those gentlemen who had acted as political agents during that period. In the first rank of these stood the Hon. Mountstuart Elphinstone, of whom it might be truly said, as gathered from the public dispatches, that his peculiar praise was, "*tam Marti quam Mercurio*," being alike distinguished for heroism in battle as for wisdom in council. The records of the time informed them, that when it was no longer doubtful that the Peishwa was preparing the means of active warfare against the British interests in India, Mr. Elphinstone, with a promptitude and vigour that did honour to his judgment, invested Poona, the capital of the Peishwa, reduced him to submission, and compelled him to sign the treaty of the 18th of June 1817, by which he ceded to the East-India Company considerable territory, and several forts, as hostages for the maintenance of peace. Thus, by a wise, prompt, and vigorous policy, did Mr. Elphinstone in a great degree disarm the enemy before he could mature his resources; and, in the language of panegyric this day bestowed in public thanks to the governor general "materially lessened his means of future aggression." Towards the close of the same year, 1817, open warfare took place; Mr. Elphinstone, now that his civil councils were no longer available, retired to the British camp, and was personally engaged in the memorable battle fought on the 5th of November near Poona, in which two thousand eight hundred British and native troops defeated the whole of the Peishwa's army, consisting of twenty-five thousand. The words of Col. Burr, the commanding officer on that occasion, in his dispatches, are, "the resident (Mr. Elphinstone) most gallantly exerted himself throughout the day, in setting a distinguished example of zeal and animation to the troops, encouraging the men whenever it became necessary, and aiding the commanding officer by his information and judgment." Here was the testimony of the commanding officer himself of the signal gallantry and valour

which this gentleman displayed in the field, on an occasion too when such gallantry was of the last importance. Be it remembered that it was the first battle fought, and it is not too much to believe, that the victory with which it was crowned had the most favourable influence on the future operations of the campaign. Gained as it was against such great disparity of numbers, it gave encouragement and confidence to the British troops, while it spread dismay among the troops of the enemy. The Peishwa's army, panic struck, became from that time comparatively a fugitive and disbanded soldiery, and dissolved away before the persevering and gallant pursuit of Brig-gen. Smith. Mr. Jenkins, also a civil servant and political agent of the Company, had shewn remarkable gallantry in a more partial affair near Nagpore, and had on many occasions, particularly during the late campaign, evinced great political sagacity and talent. He (Mr. Weeding) conceived, that while thanks were being dispensed for the achievements of the campaign, these gentlemen should not be overlooked. If any conduct were deserving of thanks, it was such gallantry and merit as they had displayed. For these reasons he should shortly move, "that the thanks of this court be given to the Hon. Mountstuart Elphinstone and to Mr. Jenkins, who, in their character of political agents, by their zeal, enterprise, and wisdom, contributed materially to the general success of the late campaign in India."

The *Chairman* having stated, that he hoped the hon. proprietor would not press the motion, being rather of an unprecedented nature, at so late a period of the day when many proprietors had left the court,

Mr. *Weeding* said, he should acquiesce; aware as he was that the court of directors entertained a high sense of the merits and services of Mr. Elphinstone in having appointed him to be governor of Bombay: he had nevertheless thought it a most fit occasion for the general court to testify their approbation also by a vote of thanks. For himself, he was so struck with the exalted nature of those services, that he could not resist the mention of it in open court.—Adjourned.

East-India House, Feb. 19.

A general Court of Proprietors of East-India Stock was this day held at the Company's House in Leadenhall Street.

The routine business having been gone through:

The *Chairman* (James Pattison, Esq.) said he had to submit to the court, agreeably to the by-law, cap. 1. sec. 4, certain papers that had been laid before parliament since the last general court.

Regulations passed by the governor-general in council, for Bengal, Fort St.

George, and Bombay, in 1816, were then laid on the table.

MR. ROBERT CAMPBELL'S CASE.

The *Chairman*—"I have now to acquaint the court, that is met, agreeably to the resolution of the general court passed on the 4th inst., for the purpose of taking into consideration a letter from Robert Campbell, Esq. and the papers explanatory of certain loans to the Zemindar of Vizianagram. Mr. Campbell's letter shall now be read."

The clerk then read the letter, which will be found in page 389.

Mr. *Campbell* immediately moved, that the second paragraph of the letter of the collector of Vizagapatam to the board of revenue at Fort St. George, be read; which was done, as follows:

"The existence of usurious loan transactions, between the Zemindar of Vizianagram and Europeans and natives, was stated in my letter of the 12th of April, 1814, as the principal cause of the Zemindar's embarrassments, and the person alluded to, as having received the immense sum of rupees 2,70,000 in interest alone, was Mr. Robert Campbell, formerly a licensed free-merchant or mariner, an inhabitant of Brinlipatam, and subsequently of this place."

Mr. *Campbell* then rose, and delivered the following address.

"Mr. *Chairman*, upon an occasion of so much importance to me as the present, I was unwilling to trust altogether to memory, lest I should mistake facts or dates, or omit any thing that might be necessary for the vindication of my conduct. I have therefore, sir, made notes of what I purpose saying on this occasion, and with the indulgence of the court shall have frequent recourse to them.

"Nearly two years, sir, have now elapsed since I had the honor of appearing before the proprietors of India stock, to receive the most flattering proof of their esteem and confidence, by being selected for the honourable office of a director of their affairs, in preference to other candidates of high pretensions and great respectability. Persuaded that this distinction was conferred upon me under a presumption that my character for honor and rectitude was unimpeachable, I feel it a duty equally due to them and to myself, to meet and refute at the tribunal of their judgment, the reports which have been circulated to my prejudice, and I have to thank you, sir, and the court of directors, for the opportunity you have afforded me of doing so, by so promptly convening this meeting at my request.

"It is perhaps not generally known, that during my residence in India I had not the honor of being in the service of the Company; that I had neither office nor

authority, and therefore could not abuse what I did not possess; that I was amenable to the jurisdiction of the courts of Adawlut, established in that country for the trial of civil causes, and was bound under the forfeiture of a penalty to abide by their decrees; that I had therefore as little the means as the inclination to compel involuntary or unfair engagements, and that my commercial dealings and money transactions with the natives of that country (which in my capacity of a licensed free merchant I was permitted to have) were always conducted on the basis of mutual benefit and reciprocal accommodation. Among those with whom I had such transactions was the Zemindar of Vizianagram, holding his estate from the Company, and paying to them a proportionate tribute or land tax. That person borrowed from me at various times, through the medium of his Dewan, or manager, considerable sums of money, at the customary rate of interest, and to guard against the loss which would have been the inevitable consequence of the Zemindar's death previous to the discharge of his debt, I required that he should make an insurance upon his life. This proposition was readily assented to by his Dewan, and I in consequence wrote to my agent in Calcutta on the subject of the desired insurance. A copy of that letter having been entered in my letter-book, has been preserved, and enables me to furnish an extract from it.

[Mr. C. here read a letter, written at the commencement of these transactions, to his agent at Calcutta, explaining their nature and probable extent, and stating that an insurance should be effected on the life of the zemindar to a certain annual amount.]

"The letter which I have just read will shew, that my object in entering into these transactions was not so much any advantage that might be derivable from the loans, as to facilitate the means of obtaining cash on the spot for my commercial purposes, while the Zemindar was aided in the payment of his rents to the Company on more moderate terms than he could have obtained elsewhere.

"Mr. Fairlie's reply, with many other letters, the collection of a man of business during a period of twenty-five years, was destroyed when I was about to quit India, as being no longer necessary, but a copy of it has been written for to Calcutta, and may be expected in the course of a few months; the want of it at the present moment is of the less importance, as it will be seen by the following letter addressed to me by Mr. Gilmore, that such an assurance could not be effected in any part of India.

[Read letter from Mr. Gilmore, stating

that no such insurance could be effected in India.]

"And that it could not have been effected here is evident from the declaration of Mr. Morgan, actuary of the equitable assurance office.

[Read Mr. Morgan's declaration to that effect.]

"Thus circumstanced, I became, by an agreement with the Zemindar, through the medium of his dewan or manager, my own insurer, taking the risk on much more moderate terms than it could have been covered here, had it been practicable to have made such an insurance in this country. All my negotiations with the Zemindar were closed some years before I left India; they were, in truth, terminated when I ceased to have commercial dealings, or as the object of the loans was to obtain money on the spot for my commercial purposes, when that motive no longer existed, the loans were put a stop to: they were never resorted to or prosecuted for any benefit that might result from them, the gain being at all times disproportioned to the risk, and they were therefore abandoned when they ceased to be necessary.

"Some time after I quitted India, a gentleman in the civil service of the Company was appointed collector of the revenue in the district where I had resided. At the time he took charge of the collectorship the Zemindar of Vizianagram does not appear to have been in arrear to the Company, but in the following twelvemonth, which was some years after the termination of my transactions with him, the collector, in a letter dated the 12th April 1814, addressed to his immediate superiors, the board of revenue at Madras, complains of the irregularity of the 'Zemindar in the payment of his kists for the last two months,' and attributes it, among other causes, to the loans he was under the necessity of making, alleging it to be 'a notorious fact, that in one instance alone the Zemindar of Vizianagram paid one person, an European free merchant, the sum of 2,70,000 rupees in interest only.'

"The letter containing the foregoing paragraph arrived in this country in the course of official dispatch in the year 1815, and it was not until the year 1817 that my name was coupled with the anonymous paragraph before quoted, when it was assumed that I must necessarily be the individual therein alluded to. On that occasion I received a note from the then chairman and deputy chairman of your court of directors, Messrs. Reid and Bebb; and I take the present opportunity of entreating those gentlemen to accept my warmest acknowledgments for the delicacy of their conduct on that occasion, as well as for the friendship

with which they have since honored me. I waited on those gentlemen the following day, viz. the 2d April 1817, utterly unconscious of the object for which they desired my attendance, and equally chagrined and mortified to learn that a report so grossly exaggerated, and therefore so likely to prove prejudicial to my character and pretensions, had gone abroad. I might, on such an occasion, have declined answering any question, and by what some might consider a prudent reserve, have prevented all the vexation to which I have since been exposed; but conscious of the rectitude of my conduct, I felt that it was a duty I owed to you, whose suffrages I was then soliciting, a duty I owed to the integrity of my own character, and a respect due to that body of which, through your favour, I hoped to become a member on the first vacancy, to meet the charge with the utmost frankness and candour, and I confidently appeal to Mr. Reid and to Mr. Bebb, whether I did not meet it in that spirit. I avowed that I had had transactions with the Zemindar of Vizianagram, while I asserted that they were not either to the extent or of the character described by the collector. I denied, and most truly, any knowledge of the existence of any act of the British legislature prohibiting such transactions, and I contended that my dealings were justified by the only rules I had for my guidance, the local regulations of the government under which I lived, and which, as a condition of my residence in the provinces, I was bound to obey.

"That my transactions were conformable to the letter and spirit of those regulations, will be seen by the opinion which I shall now beg leave to read, given on a case submitted to a gentleman of your Madras civil establishment well qualified to decide, having himself, during a period of twelve years in his capacity of a zillah and provincial judge, administered and expounded those regulations.

[An opinion to this effect was read by Mr. C. in a case submitted to a gentleman high in the Madras civil service.]

"The chairman and deputy chairman appeared satisfied with the explanation I had given, the reports which had been circulated to my prejudice died away, and on the 23d July 1817, you did me the honour to elect me one of your directors. While in that situation I endeavoured, by an assiduous and conscientious discharge of my duty, to justify your choice. It would appear, however, that in the time which intervened between my conversation with the chairman and deputy, and my obtaining a place in the direction, instructions had been sent to the collector to ascertain who the Europeans were who had transactions with the Zemindar of Vizianagram, and 'particularly, who the

'European free merchant was, who was stated to have received from the zemindar the sum of 2,70,000 rupees in interest only.' The collector's answer, stating me to be the individual who had received the sum abovementioned, was among the collection of papers submitted for your inspection by order of the court of directors; it was accompanied by a figured statement intended to support that assertion: how far it has done so, my letter to the court of directors of the 29th of May last (which was also in the collection of papers) will shew. That letter points out some few of the errors and inconsistencies into which the collector had fallen: it shews upon his own avowal; that the original accounts, prior to Feb. 1802, had been destroyed; that the fabricated set of accounts could not be depended on; and that so conscious was the collector himself of the inaccuracy of this fabricated set of accounts, that he acknowledges he has recourse to them only 'in the absence of all other information.'

"My letter of the 29th May also shews, that it was morally impossible the collector could have been in possession of even that fabricated set of accounts, when, on the 12th April 1814, he asserted as a notorious fact, that to one person was paid the sum of 270,000 rupees. The reputed fabricator of these accounts died on the 1st April 1814. The collector did not obtain the accounts from his widow until after, as he says, 'much unnecessary correspondence,' a correspondence which could not in decency, and under the afflicting loss the woman had so recently sustained, have commenced until some days after the date of the collector's assertion; but even if he had obtained the accounts on the very day of the death of the supposed fabricator, it was utterly impossible that accounts so voluminous could have been examined in the short space of twelve days. The collector himself, after waiting some months to comply with an order of the board of revenue to submit a detailed report of the transaction, writes (as would be seen in the collection of papers), under date the 18th Sept. 1817, after having been then in possession of the accounts nearly three years and a half, that they 'were found in such a state of confusion and disorder, many being injured by the white ants, that much time was wasted in the search from these accounts'; he continues, 'and other vouchers in the Zemindar's cutcherry, I formed a statement, which I now forward for your consideration.' That statement was also among the collection of papers submitted for your inspection, and is perhaps as extraordinary a document as was ever produced by any man in official station, where regularity and correctness are so indispensably necessary for the due discharge

of important duties. It is entitled, 'a statement of sums of money lent by the undermentioned Europeans to the Rajah Narrain Guzzapilly Rauze, zemindar of Vizianagram, extracted from the accounts and other vouchers now in the possession of the collector of the zillah of Vizagapatam.'

"What accounts? what vouchers? Not original accounts, for the collector tells you they had been destroyed; not authentic vouchers, for of fifty supposititious transactions enumerated by the collector in which I was said to be concerned, the bonds and vouchers of eight only are said to be preserved: the remaining forty-two are stated in his marginal note not to have been found among the records.

"The statement then proceeds to detail various transactions. But the collector has avoided shewing the result by any calculation of the interest. He must, I presume, have been aware of the extraordinary discrepancy between the result which such a calculation would have shewn, and the assertion hazarded in the fourth paragraph of his letter of the 12th April 1814, a circumstance which would have placed him in a situation of considerable embarrassment between the acknowledgment of an error he was unwilling to avow, and the support of a position he could not maintain. To get rid of this dilemma he merely furnishes dates, amounts, and rates (and these too most erroneous), risking the possibility of it being taken for granted that the calculation of interest, if made, would bear out his original assertion, of which however it falls short by considerably more than one half.

"Every man who has resided in India must know how frequent a practice it is with the natives, when they have a purpose to serve, to falsify their accounts; and that there was such a purpose on the part of the fabricator of the set of accounts from which the collector has derived his information, is distinctly admitted by the collector himself, in the 10th paragraph of his letter to the Board of Revenue of the 12th July, 1817, (which was also in the collection of papers submitted to you, and which I shall here quote.) 'Besides, says the collector, those enumerated in the statement, there is a great number of other very objectionable charges in the accounts of Saugy Ramchauder Ranze; and there being every reason to believe that the pretended appropriation of the Rajah's money was in many instances without foundation, I do not go into a detail of the particulars, as it would only be an unnecessary exposure of the names of persons who, I am persuaded, are unjustly charged with having received sums of money.'

"The mode of keeping accounts in

India, while it facilitates interpolation, renders detection difficult, if not impossible. The accounts are not written in books bound together as in this country, but upon kadjans (the prepared leaf of the palmyra tree,) or on separate slips of paper, so that it is easy to abstract one and to substitute another in its place. In this way I am willing to believe the collector may have been imposed on; and this supposition is the more probable, as I understand that he is unacquainted with the language and character in which the accounts were written.

“From the foregoing detail, which, though long, has not, I trust, been rendered unnecessarily prolix, as well as from my letter to the court of directors of the 29th May last, it will be seen, 1st. That not having been in the service of the Company, and therefore not having possessed any authority, I could not, in my intercourse with the natives, have exercised any control over them. 2d. That my transactions with the Zemindar of Vizianagram originated in mercantile motives, and were prosecuted for mercantile purposes. 3d. That I was amenable to the courts of judicature established in that country for the trial of civil actions. 4th. That I continued to reside in India, and in the same district with the Zemindar, for several years after my transactions with him had ceased; and that, had he been aggrieved, he might have obtained redress on the spot, by an appeal to any of those tribunals, to the jurisdiction of which both he and I were equally subject. 5th. That the Zemindar did not then, nor has he since, made any complaint. 6th. That my transactions were in conformity with the local laws or regulations of the government under which I resided; and 7th. That the collector has equally mistaken the character and amount of my transactions with the Zemindar, and built his assertions upon documents which, by his own acknowledgements, are undeserving credit.

“I have now, Sir, to solicit the particular attention of this court to the document which I hold in my hand. It contains the result of an examination of my books by gentlemen, whose mercantile knowledge eminently qualifies them for such an investigation, and whose names it is only necessary to mention to prove their high respectability.

[Mr. Campbell here read a declaration, signed by six gentlemen of the highest respectability, who had inspected his books of accounts, and who, after due examination, stated that the sum raised by Mr. C. from the Zemindar, for interest, &c. did not amount to one-third of the sum alleged to have been paid to him; and that throughout the course of those transactions Mr. C. had not, in any manner,

compromised his character for honorable integrity and fair dealing.]

“Although no man can be more ready, Sir, than I am to acknowledge the propriety of a rigid enquiry into the character of every individual who may offer himself as a candidate for the high and important office of a director of your affairs, more especially when, as in the present instance, the conduct of the individual soliciting your favor happens to be brought in question, I must, nevertheless, deprecate the mortifying necessity I am now reduced to, of being obliged, after the lapse of so many years (and when it was not improbable that the documents connected with this transaction might have been lost or destroyed, from a supposition that they were no longer necessary) I must deprecate, I say, the mortifying necessity I am now reduced to, of meeting a charge of this nature, a charge which, in its utmost extent, does not involve the slightest tinge of moral turpitude; a charge for which I was amenable to competent courts established in India for the trial of such questions, and to which, no doubt, the party with whom I had those transactions, would have resorted for redress, had he considered himself aggrieved. In the absence of all exculpatory evidence, from the loss or destruction of papers, my intimate friends, from their knowledge of my character and conduct, might have given credit to my declarations, but I could not have expected that the great body of proprietors, who have already honored me with their support, and to whom I have not the good fortune of being personally known, would have given equal credence to my assertions, unsupported by evidence of their truth; and I must therefore have sunk under the weight of a charge equally cruel and unfounded. Happily for the vindication of my own character and the preservation of their good opinion, I am relieved from this dilemma by the providential preservation of those documents which have been laid before you, and which, I hope and trust, will satisfy every dispassionate and unbiassed mind; and prove, that throughout the whole of the transactions which have been brought forward, I have been guided by a strict and conscientious regard to the principles of justice, honour, and integrity.

“I have now, Sir, to thank this court for their patient attention throughout this tedious narration. They are now in possession of the charge and of the defence; and their judgment will, I am persuaded, be such as to do credit to themselves, while it renders justice to me.”

[After delivering his statement Mr. Campbell retired.]

Mr. Reid felt that it was nothing more than an act of justice for him to stand up

in his place, and say, that when his hon. friend (Mr. Bebb) and himself filled the chairs of that court, and had an interview with Mr. Campbell, to which he had referred in his very able address, they received from that gentleman direct and plain answers to the different questions put to him. He heard them with the utmost attention, and answered with the greatest promptitude. (*Hear, hear!*) No man, in his opinion, could behave with more candour and openness than he did. He seemed to have no desire whatever to reserve any part of his conduct from inquiry or observation. He thought it necessary farther to say, that when the court of proprietors elected Mr. Campbell to be one of the executive body, no man in the direction entered more deeply into the subjects which were brought under their consideration, and, when called upon to decide, no gentleman could give a more sound and correct opinion than that which he always offered. (*Hear, hear!*)

Mr. Bebb requested leave to corroborate every thing that had been stated by his hon. friend, relative to the interview with Mr. Campbell. He never had the honour of being acquainted with that gentleman before that interview, but he left him impressed with a very high opinion of his moral conduct, of his character for honour, probity, and integrity. It might be proper for him to state, that while in the chair he had frequent consultations with Mr. Campbell on the subject of the Company's affairs; and he was convinced, from what occurred at those consultations, that he brought into the executive body a great deal of useful practical information, great zeal, and great industry. He applied himself to the discharge of his duties with activity and promptitude, and he hoped and believed that beneficial results would flow from many of the opinions he had delivered.—(*Hear, hear!*) He trusted, as he was speaking of an individual whose character had been attacked, that he should be allowed to state, what he would declare on oath in any of the King's courts at Westminster if called on, that he firmly believed Mr. Campbell to be a worthy honest man, every way incapable of acting dishonourably, an excellent director of their affairs, and as a man of integrity perfectly entitled to the support and approbation of the proprietors. (*Hear, hear, hear!*)

Mr. R. Jackson said, he had listened with the deepest attention to the address of the hon. gentleman who had just left the room, and he had examined with great care the papers connected with the question then under consideration, in order to satisfy himself as to the just and proper course which ought to be taken by the court on this occasion. He

intended to offer but few observations on the subject, but still he felt that some were necessary, to put the court in possession of the grounds on which he had formed his opinion, and to justify the motion with which he meant to conclude a motion, which he flattered himself would be unanimously acceded to. But, before he entered upon the subject, he wished, as a proper return to the court of directors, to express to them his thanks for the honest vigilance with which they had followed up this delicate and important inquiry, from the first blush of accusation until the present moment. They had acted most correctly. In ordinary cases, the course they had adopted would have been right: but here they had done more; here their conduct was intitled to a higher praise, inasmuch as the charge referred to one of their own body, with respect to whom it might have been supposed that a partial and favourable inclination and opinion existed.—(*Hear, hear!*)—He was quite satisfied, that the system of calm and sober inquiry which had marked the proceedings of the executive body, from the commencement of this business (if Mr. Campbell had chosen to have waited their adjudication, instead of casting himself, as he had so constitutionally and so creditably done, on the great body of the proprietors) would have distinguished them to the last, and would have produced a result similar to that which he this day confidently anticipated. When he said this, he felt that the documents on which the accusation rested were of such a nature, as would not, when carefully examined, be deemed sufficient to bring in question before that court the fame and character of a British subject. Let gentlemen reflect for one moment on the situation in which Mr. Campbell stood, and on the character of the person on whose integrity alone rested the statement that was at last put forward against him. He was here referring to the Dewan, and not to Mr. Collector Smith; for though, technically speaking, the accused party was Mr. Campbell, and the accuser was Mr. Smith the collector, yet, in point of fact, the charge rested solely on the evidence of the Dewan. He did not use this term *accuser* invidiously, but technically. He had no doubt but that the collector was a man who understood the duties of his office, and all he blamed him for was, his giving himself up to a rash view of the question, and thence being led to hasty assertions; he had taken up reports when he should have been satisfied only with authentic documents, and had continued in this course, until it was absolutely necessary, in consequence of the commands of the executive body, that something like a formal and tangible statement should be forth-

coming. Mr. Campbell's situation was that usually denominated a free merchant. If he comprehended the character rightly, it meant a person who, like Mr. Campbell, was a considerable purchaser of the products of the land—of the manufactures—of a particular district or districts, which were afterwards conveyed to Madras, and other great stations in the Company's territories. He wished to impress this particularly on the court; for he knew that many merchants in India, although as highly respectable as any who appeared on the Royal Exchange of London, were considered as mere money lenders, because, in the course of business, they advanced loans to the great landholders or Zemindars. The usual course was, to consign cargoes to Madras in the same way, as in European commercial transactions, they might be consigned to Hamburg or other places. It was necessary that the merchant should get returns to Vizianagram, or wherever he resided, to the amount of those investments. These he could only procure by a remittance from Madras, in specie, which was tedious and hazardous, or by operations something similar to the European exchanges. Mr. Campbell would advance to the Zemindar bills on Madras, for instance, to the amount of the merchandize which he had consigned to that port; this was extremely convenient, and answered the purposes of both parties. The Zemindar was benefitted by this arrangement, and gentlemen would at once allow, that it was a legal and equitable course, when he observed, that hardly any party was more accommodated by it than the East-India Company themselves. The Zemindar had his tribute, or *kists* as they were called, to pay to the Company every two months: whether Providence crowned the harvest with plenty or stinted the produce of the earth, whether the crops were in a forward or a backward state, still the *kists* must be paid; and unless the landholder met with a capitalist who would advance him money at a fair and proper rate of interest, he would be sometimes obliged to sell or mortgage his crops on the ground, and run the dangerous course of seeking assistance from professed money-lenders to enable him to pay those *kists*. If, however, he met with a respectable merchant like Mr. Campbell, he got bills on Madras, and these he paid into the district treasury of the Company. Thus the Zemindar was served, because he need not sell his crops prematurely and at a loss; Mr. Campbell was served, because he thus procured his returns with more facility; and the Company were served, because these bills, which were always honored as they became due, whether drawn at two, or four, or six months, formed a remittance from the district treasury to that of Madras far

more convenient than the transport of treasure. He stated this the more particularly, because he believed considerable misapprehension prevailed on the subject. There was a vast difference between a free-merchant and a mere money-lender, though some persons had confounded the characters. He could safely declare, for himself, that when Mr. Campbell first offered for the direction, if on inquiry he had understood him as having acquired his fortune only as a successful money-lender, he should not have had his vote. He voted for that gentleman as an enlightened East-India merchant, a character worthy of the situation in which he had been placed by the proprietors, and on that ground alone would he again give him his suffrage. He would vote for him as a merchant, capable, from experience, talent, and character, of being eminently useful to the Company. The next character that he should advert to was the dewan, or manager of the Zemindar's affairs. Persons conversant with India knew that the native landholders cherished a great degree of hereditary pride, arising from the recollection of their hereditary rank, which precluded them from acting as their own stewards. All was left to the managing man, denominated the dewan, who in France perhaps would be styled *homme d'affaires*, and whom John Bull, without much pretensions to latinity, would perhaps call his *factotum*. He was entrusted with every thing, looked after every thing, did every thing. If honest, he was invaluable; if a rogue, it was a hundred to one but he ruined his master. The fate of the Zemindar, his prosperity or his adversity, his exhaustion or his abundance, depended on this dewan. Happy for him, when it chanced to light on a man of integrity; but when, as was too frequently the case, an artful and designing servant was employed, the consequences were sure to be disastrous. Now, when he should shew, from the documents on their table, that not a single tittle of evidence was adduced in support of the charge against Mr. Campbell, except what was contained in the accounts derived from the *dewan*, who acted for the Zemindar of Vizianagram, they would receive it, he was convinced, with a due degree of caution: for it could not but strike them that the dewan had done that with which he stood charged by the collector, namely, fabricated accounts to serve his own purposes. If he had made an improper use of his master's property, it was easy for him to fill up an account with one or with an hundred European names, to satisfy the person by whom he was employed of the manner in which the property was disposed of. This was not difficult, where the most im-

plicit confidence was reposed in a servant. With respect to the situation of Mr. Campbell, it was proper to observe, that he had been in India for many years before he had any loan transactions with this Zemindar, and five years before he left that country those transactions, being no longer useful or necessary to his commercial speculations, had entirely ceased. Now it struck his mind, and the circumstance must, he thought, make a considerable impression on the mind of every reflecting man, that if Mr. Campbell was acting in the spirit of a money-lender, procuring twelve per cent. or more for his money (the legal interest in India was twelve per cent.), he would not have been ten years in India before he embarked in such transactions, nor would he have given them up, profitable as they were, five years before he came away. If he had been actuated by the avaricious spirit of a usurer, he would not so readily have parted with an opportunity of still farther increasing his profits; but the fact appeared to be, that he only adopted this mode of making advances, in common with four or five other merchants, as a medium of great convenience in his commercial transactions. The proceedings which rendered it necessary for Mr. Campbell to submit his conduct to the consideration of the general court of proprietors originated in a letter "*from the collector of Vizagapatam to the Madras Board of Revenue, dated the 12th of April 1814,*" from which, in order to place the circumstances fully before the court, it would be necessary to read some extracts. In that letter the collector denounces an usurious transaction, of which, when afterwards called upon, he declared Mr. Campbell to have been the author. The letter was addressed to the Revenue Board, and commenced thus:

"I have the honour to submit the accompanying report of outstanding balances against Zemindars up to the 22d inst. and beg to remark upon the different items, in the order in which they stand upon the list. It is with the greatest concern I am compelled to lay before your board, the irregularity of this Zemindar, in the payment of his kist for the last two months"—this, observed Mr. Jackson, refers to a period no less than five years after Mr. Campbell had ceased to have any transactions with the Zemindar—"and the probable necessity, in consequence, of proceeding to the very disagreeable alternative of sequestering a part of his estate; but, prior to recommending such a measure, I think it incumbent on me to state the following for the mature consideration of the board: the jummabundy paid by this Zemindar amounts to nearly one-half of the whole of the land revenue of the zillah; and as the collections have been generally

in arrear for a number of years past, I conceived it proper, for my own information, to inquire into the causes of this arrear, being well assured, from public and private sources, that the country was very favourably assessed."—Here, said Mr. Jackson, it would be recollected that the collector, in a letter quoted by Mr. Campbell, alluded to usurious transactions, and stated these to be the principal cause of the Zemindar's being in arrear. But from what followed it appeared that other and very cogent causes existed, and it would be for the proprietors to say, whether they were more or less likely to produce the ruinous effect described by the collector. The letter proceeded thus:—"It is unnecessary to go into a detail of the information thus derived. The thoughtless extravagance of extreme youth was encouraged in every possible manner; purchases were made of houses and articles, not only unnecessary, but which entailed a constant expence; the debts of the late Zemindar, and even those due by his brother, Seeteraurauze, were most unjustly demanded from and paid by the present Zemindar, or rather by the agents acting for him."—With what view, exclaimed Mr. Jackson, did the agents act thus? the letter fully explained the intent and object—"with a view," continued the collector, "to strengthen their own interests; and the generous disposition of the young man was assailed by his servants and their dependents, who succeeded in gaining for themselves or relations, grants of villages and lands to a very large annual amount. These disbursements could not be made without incurring debt, the grand source of the Zemindar's misfortunes: lenders were found in abundance, but upon such terms as must brand them with eternal infamy. It is a notorious fact, that in one instance alone the Zemindar of Vizianagram paid one person, an European free merchant, the sum of 2,70,000 rupees in interest only, and at such a rate of interest as was, I hope, never heard of before."—Now, observed Mr. Jackson, it is necessary to state, with regard to this sum of 2,70,000 rupees, that from the hour when this letter was written to the present moment, notwithstanding the access which the collector had to the various accounts of the Zemindar, notwithstanding the pledge he had given to inquire with the utmost minuteness into the cause which threw the Zemindar so much into arrear, still, with all his care and all his attention, it was a most extraordinary and a most remarkable fact, that no account containing any such item was forthcoming. The only account which he had made up and transmitted presented not, amongst its items, any sum even approaching to this large amount: therefore it was that he charged the col-

lector with rashness in making a bold and sweeping assertion, when he had not within his power the means of fully substantiating it. To him nothing was more evident than this, that the collector, being closely pressed for particulars, had drawn up a report which he conceived would prove to the hon. masters that he attended earnestly to his duties, and would, at the same time, seem to bear out a little the statement he had made of the enormous sum of 2,70,000 rupees having been received at one time for interest alone. The letter went on:—"Misfortunes began to press hard upon this unfortunate successor of Viziaraurauze, when, in Feb. 1808, he was induced to conclude an agreement with Ramchandrarauze, his dewan."—With whom, asked Mr. Jackson, did he enter into this agreement? With this agent, who had encouraged his extravagance; with this very man from whom the accounts were afterwards derived; with this dewan, who, from being servant, had now contrived, as would be seen, to become master.—"He was induced," said the collector, "to conclude an agreement with Ramchandrarauze, his dewan, to rent the country for ten years, during which the dewan engaged to grant one lac fifty thousand rupees annually for the Zemindar's private expense, to pay the public demands with punctuality, and, at the expiration of the above term, to return the country unincumbered, and the Zemindar free from debt of every description: in consideration of which the dewan was to possess unlimited authority, no longer as a servant, but as master of the country."—Here, said Mr. Jackson, the court might see, in one short but pithy abstract, the history of stewards in India. The dewan commenced his operations by encouraging the Zemindar to incur expenses to an enormous extent; to pay debts that were not before claimed, and which he was under no obligation to discharge; to make grants of whole villages to his followers and dependants, and to plunge into every species of useless extravagance. Thus he began, and he ended by becoming the uncontrolled master of the Zemindar's country and whole establishment. (*Hear, hear!*) Was not this enough to enable the court to judge of the character of this dewan, on whom alone depended the verity or the falsehood of the documents on which the charge was founded? (*Hear, hear!*) The letter of the collector further set forth:—"The true state of affairs could never be obtained from Ramchandrarauze."—And yet, said Mr. Jackson, it was on the evidence of this man, who would not declare what the true state of affairs was, that Mr. Campbell's conduct had been arraigned. —"We intended to get his account. He, with consummate effrontery, referred the

Zemindar to the articles of agreement, which being a production of no common kind, I send you a translate, &c. During the term that Ramchandrarauze held the rent, he leased out, for the whole term of the ten years, a large portion of the lands, at a rate far below their real value. This could only have been done for the express purpose of injuring his master, and it had that effect."—Who, after this statement, demanded Mr. Jackson, could place confidence in a man who stood recorded as the betrayer of his unsuspecting and confiding master? (*Hear, hear!*)

The next letter to which he begged to call the attention of the court was also addressed by the collector of Vizagapatam to the Madras board of revenue; it was dated the 12th of Nov. 1814, about six months after the former letter. He there said, and this was a point worthy of the most serious attention, as it went to invalidate the documents which had been sent home, "Your Board will learn with regret that the accounts prior to Feb. 1808, (the date of the assignment of the zemindary to the late Saugy Ramchandrarauze as renter) have been destroyed!!"—Mr. Jackson begged the court to pause here for a moment, and not to let it slip their recollection, that a confession was expressly made of the destruction of all the accounts during the period in which Mr. Campbell had any concern with the Zemindar. No *bona fide* accounts were, it appeared, in existence, of a date prior to Feb. 1808, the period when the dewan himself took possession of the Zemindar's estate, as renter.—"But," continued the collector, "a set of accounts, prepared by that renter at my request, were stated to be in possession of his widow."

Let the court look, and look narrowly, at this statement. It appeared, from these few lines, that all the original accounts which could by possibility refer to Mr. Campbell (for long before this period he had ceased to have any transactions with the Zemindar) the collector admitted to have been destroyed. (*Hear, hear!*) What was the substitute which he proposed to make use of? An account made up by this false steward, either to the best of his memory, or wholly fabricated to answer his unjust purposes! (*Hear, hear!*) This day, said Mr. Jackson, the court must condemn Mr. Campbell to infamy and shame, on this weak, this suspicious evidence, or they must, and he doubted not but they would, treating such testimony as it deserved to be treated, unanimously acquit him. (*Hear, hear!*)

"The circumstances," continued the collector, "under which these accounts were drawn out, as explained in my letter of the 12th of April last, led naturally to a conclusion that such dependence could

not be placed on the justness of many of the disbursements."—Why then should a charge of so serious a nature be founded on such imperfect evidence, evidence in which the collector himself did not seem to place any faith?—"But, in the absence of all other information"—that was, of all authentic information—"It was desirable to benefit as much as possible from them; and they would further be a check on the account of Subneiss Timmiah, who succeed Ramchandraarauze, and was appointed manager, or, as he was styled, dewan."—Very likely those accounts might operate as a check on the new manager, for the idea that documents existed, a reference to which would prove whether current transactions were correct or not, might produce a considerable effect in preventing speculation. But the question was, what had these accounts to do with Mr. Campbell? If the whole of this passage proved any thing, it completely fortified a proposition in Mr. Campbell's address, and, looking to dates, without a strict attention to which they never could come to a correct conclusion on transactions of this nature, it would appear next to impossible that the transaction of 2,70,000 rupees could have been gathered from any thing but report; for in the accounts prepared, as the collector said, by the renter at his request, no such item, nor any thing like it, was to be found. Two years afterwards the next account of these transactions was sent to the revenue board at Madras by the collector. It was dated the 28th of Dec. 1816, and the court would see that no blame attached to the revenue board with reference to this delay. They seemed to have been most anxious to procure the fullest information possible. They were harassed with unsatisfactory statements, and at length they said, in plain English, "Do not send to us vague reports, reflecting on persons of worth and integrity; give us dates, names, and particulars. With nothing less can we be satisfied. We will not suffer you to make attacks on men whose integrity has heretofore been unquestioned, unless you transmit to us the documents and proofs on which you found your charges." In consequence of these pressing representations, the collector directed a letter to the board of revenue, dated the 28th of Dec. 1816, the second paragraph of which ran in these terms:—"The existence of usurious loan transactions between the Zemindar of Vizianagram and Europeans and natives, was stated, in my letter of the 12th of April 1814, as the principal cause of the Zemindar's embarrassments; and the person alluded to as having received the immense sum of 2,70,000 rupees in interest alone was Mr. Robt. Campbell, formerly a licensed free merchant or mariner, an

inhabitant of Bimlipatnam, and subsequently of this place."—Now, said Mr. Jackson, although there was not a whit of reason to suppose that at this time the collector had procured any information that ought to have induced him to believe that this statement was founded in fact, the Dewan, on whom no reliance could justly be placed, being the only authority he had for the assertion, still he did condescend to mention a name; and the question they had to decide this day was, whether the charge contained in this paragraph, where he coupled Mr. Campbell's name with an usurious transaction, was true or false. The letter proceeded thus: "It is presumed that the information required by the court of directors is merely to prove usurious loan transactions between the parties mentioned; and if so, this can be fully substantiated by the accounts and vouchers in my possession."—Here, observed Mr. Jackson, it would be proper to consider how he got those accounts; and more particularly, looking to his own previous statement, how he procured an account of the 2,70,000 rupees received for interest. Was it possible for them to suppose that any such account was in existence? This dewan, this false steward, this dishonest man, as the collector described him, had already, according to his own statement, burned all the accounts with which Mr. Campbell could have had any connection. Where then, did he find this item of 2,70,000 rupees? No statement of it was to be discovered in the account he sent home; and most undoubtedly, if he had any regular notice of it, he would not have neglected to transmit it. What other inference could they, under these circumstances, come to but this, that he had gathered the statement from the report of the steward; and, after his own description of this man's character, they could not credit any thing he said. (*Hear, hear!*) He now called the attention of the court to an extract of a letter, addressed to the Madras Revenue Board, dated the 12th of July 1817, also written by the collector, in which he said:—"In your instructions of the 6th of Feb. 1817, as court of wards, you desire that I do submit a full and distinct report on this particular claim, before you can determine as to the expediency or otherwise of taking measures towards its recovery; and the consideration of the subject being immediately connected with the present reference, I now submit a statement of the description required, by which your board will be able to decide whether or not the estate of the deceased Saughy Ramchandraarauze is to be considered as a creditor of the Zemindar of Vizianagram."—Here, observed Mr. Jackson, it was necessary to state, that the claim adverted to was that of the dewan, who was

at this time dead; and, according to the humane provision of the Indian government, a court of wards, like our court of chancery, undertook the settlement of his affairs for the benefit of his children, and the collector, in his official capacity, was obliged to ascertain the assets of the dewan's estate. The letter proceeded: "Besides those enumerated in the statement, there is a great number of other very objectionable charges in the accounts of Saughy Ramchandrarauze; and there being every reason to believe that the pretended appropriation of the rajah's money was, in many instances, without foundation, I do not go into a detail of the particulars, as it would only be an unnecessary exposure of the names of persons, who I am persuaded are most unjustly charged with having received sums of money!" (*Hear, hear!*)—Well might the court feel astonished, said Mr. Jackson, at such a declaration as this; and yet it was upon the statement of this dewan, who was here described as having most unjustly charged innocent persons with improperly receiving large sums of money, that the accusation against Mr. Campbell was founded. (*Hear, hear!*) It was upon the evidence of this man, and upon that alone, that they were presently, and severally, to come to a solemn decision.

The last paper which it was necessary to bring under their consideration, was a letter from the collector to the Madras Board of Revenue, containing what he called "a full and detailed report on illegal transactions between the Zemindar of Vizianagram and British subjects."

Mr. Jackson begged the court to pause for a moment on this last production, and to recollect the course, or series, in which the documents to which he had solicited their attention proceeded. So far back as the 12th of April 1814, an individual was described by the collector as having received for interest on one occasion only, 2,70,000 rupees; so far back as Dec. 1816, he declared that the person alluded to was Mr. Robert Campbell, and yet it was not until three years and a half after the first mention of those transactions, that he could be induced to present any thing like a formal statement to corroborate his assertion. It was not till the orders from home became so peremptory that they could not be evaded; it was not till the revenue board sent him a copy of those orders, expressing the displeasure of the court of directors, to which they added their own, at this extraordinary delay; it was not till the most pressing representations were made of the necessity of substantiating the charge, that any thing like an account appeared to be made up. The letter of the 18th of Sept. 1817 proceeded thus: "I have the honour to acknowledge the receipt of your secretary's letter of the

27th of March last, desiring that I will submit a full and detailed report on illegal transactions between the Zemindar of Vizianagram and British subjects; I also beg to acknowledge a repetition of those orders, dated the 28th of August last. "In prosecution of your instructions it was necessary to refer to the various papers and accounts in possession of the Zemindar of Vizianagram, and these were found in such a state of confusion and disorder, many being injured by the white ants, that much time was wasted in the search, and after every inquiry, accounts for detached portions of time could only be discovered."—It was here, said Mr. Jackson, worthy of remark, that these accounts must have referred to a period, long, very long after Mr. Campbell had any transactions with the Zemindar, since those which related to transactions prior to Feb. 1808, had, it seemed, been destroyed by the Dewan himself. The letter went on—"From these accounts, and from other vouchers in the Zemindary Cutcherry, I framed a statement which I now forward for your consideration, and which, although very imperfect, will give a general idea of the money transactions of Europeans in this district."—"Then, said Mr. Jackson, at length came the account, which, with all the authority of the revenue board of Madras, with all the strongly expressed solicitude of the executive body in Leadenhall street, over and over again exerted to hasten it, took no less than three years and a half in its formation. They had a right to expect, when the account did ultimately arrive, that Mr. Campbell would have been set down as having received 2,70,000 rupees for such a loan, at a certain definite period; but from the hour the assertion came from the collector until the present moment, no such item appeared. No, an account was sent in, rescued, it was said, from the ravages of the white ants, and liable, from the lapse of time, and from the mode in which Indian accounts were kept, as described by Mr. Campbell, to a great variety of errors. But he found it necessary, incomplete as his data were, to produce something, or else to give up his situation; there was no longer an opportunity for trifling; the board of revenue must be satisfied, and he did produce something. What was it? By looking to dates, it would be found to embrace a period long before Mr. Campbell had any transactions with the Zemindar, and it also took in a period many years after all transactions had ceased between them. They found, in the account transmitted to this country, interest at so much per cent. placed opposite to a variety of transactions, but no where could they discover a resulting amount of 2,70,000 rupees arising from interest at eighteen or twenty-four per

cent. Mr. Campbell, or rather the highly respectable gentlemen whose names were signed to the paper which had been read to the court, had put the different sums together, and the result was a most extraordinary one. From their calculation it appeared, and no man could doubt the correctness of that calculation, that even supposing all the transactions which were comprised in the account to be minutely true, although they applied for four years during which Mr. Campbell had no connection with the Zemindar, and were taken at best from the memory or from the polluted copies of this faithless Dewan (for so the collector described him), still the amount of interest received was reduced from 2,70,000 rupees to 1,19,000 rupees, being a mistake of 1,51,000 even on the collector's own shewing. (*Hear, hear!*) He would again call the serious attention of the proprietors to those paragraphs, in which the collector stated his own opinion of the character of the man on whose authority this accusation was founded, and having done that he would leave the business in the hands of the proprietors, convinced of their determination to do that justice to Mr. Campbell which his clear statement, coupled with the inconsistency which marked the charge throughout, evidently demanded. The paragraphs to which he alluded were the 6th and 9th in the collector's letter of Nov. 14, he there said:—“The true state of affairs could never be obtained from Ramchandrarauze. We pressed to get his accounts. He, with consummate effrontery, referred the Zemindar to the articles of agreement, which being a production of no common kind, I send you a translate, &c.—During the term that Ramchandrarauze held the rent, he leased out for the whole term of the ten years, a large portion of the lands at a rate far below their real value. This could only have been done for the express purpose of injuring his master, and it had that effect. It was a transaction in which every thing was to be gained by the one party, and lost by the other.”

Such was the virtuous and veritable authority on which this account was founded. The proprietors had now the whole case before them, the charge and the defence. How was the accusation met? By the solemn declaration of Mr. Campbell, against whom no whisper of censure had ever before been breathed, supported by the internal evidence of the account itself. He (Mr. Jackson) did not mean to say that he came into this court unassailed by prejudice. For some time back, when he heard that the moment Mr. Campbell was requested by two gentlemen, Mr. Reid and Mr. Bebb, whose names could not be mentioned without honour and esteem, to give them some

information as to his dealings with the Zemindar, which had been made the subject of accusation—when he found that he met the charge openly and boldly, he confessed that his mind received a favourable impression of Mr. Campbell's conduct. He did not shrink from investigation; but knowing that if he could not satisfy the then chairman and deputy, it would be their bounden duty, when he called for the suffrages of the proprietors, to declare that he was unworthy of them, he answered every question, and gave every explanation that was required of him. When he saw what he felt would be the conviction on the minds of the proprietors expressed this day, with so much gratifying warmth; when the only account on which the conduct of Mr. Campbell could be arraigned, in or out of these doors, was invalidated, and proved to be unworthy of regard; there was but one course for them to pursue, that of declaring their unanimous belief of Mr. Campbell's innocence, and their perfect confidence in his honour. He confessed that he felt a prejudice in favour of Mr. Campbell, and all the industry and research he had exerted in investigating the whole of the case had strengthened, not lessened, that honest prejudice. If in examining those different documents he had found any point that militated against Mr. Campbell's honour, if he knew himself, if he were acquainted with his own feelings, he would have been the man to state to the court what he had discovered; but relying on the documents which had been inspected by merchants of the first respectability, believing that the whole interest acquired was within the pale of common, legal, ordinary interest, and that there was beyond such interest a charge for the insurance of the Zemindar's life, which, taken in the aggregate, was less than they would have demanded at any insurance office here, where thousands of transactions of this kind were always in progress, he came to the conclusion which the gentleman who examined his accounts had immediately arrived at; first, that Mr. Campbell had not in any manner compromised his character as a merchant; second, that his dealings were perfectly honest, and not calculated to remove from him, in any degree whatsoever, the confidence he had hitherto enjoyed; and third, that his transactions were such as could never be impeached in the mind of any merchant. With these feelings, and having no object in view but to discharge the duty of an honest man, he begged to offer to the court the following exculpatory resolution; which would not be the less acceptable to Mr. Campbell because it was distinguished by brevity. Mr. Jackson then moved,

“Resolved, That this court having duly considered the papers laid before them by the court of directors and by Mr. Robert Campbell, are of opinion, that nothing appears therein to impeach the honour of Mr. Campbell, and that he continues entitled to that confidence which placed him in the direction of their affairs.”

Mr. Bazett said, in rising to second this motion, it was not his intention to trespass for many minutes on the valuable time of the court. Indeed a single minute would be sufficient for the utterance of all he meant, and all he conceived it necessary to say on this occasion. He was confident, after the clear and able statement read by Mr. Campbell himself, aided as it was by the luminous and eloquent exposition of the learned mover, and after the gratifying testimony which the honorable directors had borne to the high character and lofty integrity of Mr. Campbell, it would be but wasting the time of the court, if, instead of simply seconding the motion, which he did with most sincere pleasure, he entered into the detail of a case, which was now so completely before the proprietors.—*(Hear, hear !)*

Mr. Wallace felt himself so incompetent to the task of addressing such an enlightened assembly, that nothing but a desire to do an act of common justice could have induced him to obtrude his sentiments on the honourable court. He had been commercial resident for three years at Vizagapatam, and though, during that time, he had no correspondence with Mr. Campbell, yet the character of that gentleman was well known to him; and it was most gratifying to his feelings, and he was sure it would be equally so to the feelings of the assembled proprietors, to have it in his power to say, that he never heard Mr. Campbell's name mentioned, by European or native, but it was coupled with expressions of respect, esteem, and honour.—*(Hear, hear !)*—If there had been any disreputable reports in circulation relative to the character or conduct of the hon. ex-director, he must of necessity have heard them, but not even an insinuation of such a nature ever reached his ear.

Mr. Lowndes said, he rose with great pleasure on this occasion, for it always gave him peculiar pleasure, when an attack was made on the character of an individual, to see him come forward with an honourable justification of his conduct. The case now before them was so evident, it was so very plain, that it required little argument, and no eloquence, to shew that Mr. Campbell had been falsely accused. It required no eloquence, for eloquence was generally employed to make fiction appear like truth, but here truth shone with such splendor, that it was like the sun at noon-day. He thought the tables should be turned, and, instead

of their having Mr. Campbell before them to defend his character, they ought, in justice, to call on Mr. Smith himself for an explanation; because, if what had been stated in the course of the defence were true, and he had no doubt of its verity, Mr. Smith ought to be compelled to declare, why or wherefore he had destroyed certain documents.—(Mr. Lowndes was here informed that no charge of destroying documents had been made against Mr. Smith.)—He was glad to be corrected on this point, for he had really understood the case differently. There was, however, this extraordinary circumstance to be explained, from the accounts transmitted home, on which the charge was founded: it appeared that the money transactions with the Zemindar amounted only to 1,19,000 rupees, being 1,51,000 rupees less than the sum which Mr. Campbell was said to have received, as interest, at one time. Now, though he thought it possible that Mr. Smith might have made some mistake (for God forbid that he should believe a man guilty until he was proved to be so; God forbid he should suppose the error intentional until evidence were given of the fact), still it was a point that called for full investigation. He would never bear a man down by the force of prejudice, unaided by satisfactory proof; and he regretted extremely that he could not attend the court when the proprietors were voting thanks to their military heroes, in order that he might have delivered his sentiments on a particular part of that question. He was unfortunately confined to his bed at the time, or else he should have been present; for he never was, and never would be, backward in giving his mite of praise to such an honourable body of men as their army in India. He would not enter into the merits or policy of the war, because with that those who were thanked had nothing to do. It was for them only to do their duty, as soldiers, when called upon. But he came to the court for another purpose; he wished to draw the attention of the court to another honourable character, and to make an observation on that unfortunate event, the execution of the Killedar of Talnair.—*(Loud cries of order !)*—He meant only to do justice to Sir Thos. Hislop.—*(A general shout of order !)*

The Chairman—“I must beg that the hon. gentleman will confine himself to the subject immediately before the court. It is not right to travel into such very irrelevant matter.”—*(Hear ! hear !)*

Mr. Lowndes—“When we are clearing one gentleman's character from aspersion, there is surely no harm in saying a word for that of another honourable individual.”—*(Order ! order !)*

The Chairman—“If the hon. proprie-

tor will not attend to my suggestion, I hope he will pay some respect to the general sense of the proprietors, which has been so loudly expressed."—(*Hear ! hear !*)

Mr. Lowndes—"I wish only to state the communication of a private individual on a subject that has been generally canvassed.—(*Order ! order !*)—I cannot conceive why you, Mr. Chairman, will not allow me to say a word in favour of General Hislop."—(*Order ! order !*)

Mr. Hume—"I rise to the question of order, and am sure that I shall not appeal in vain to my hon. friend, who, on all occasions, acts with so much candour and openness. He will have an opportunity, at another court, of stating his sentiments on the subject which he has adverted to. The resolution of the last court must be confirmed by a second, on which occasion I shall be very happy to hear him. At present the question on which he is so anxious is not before the court."

The Chairman—"I beg leave to state, in reply to Mr. Lowndes (I call him by name, for he particularly addressed himself to me), that I felt it necessary to interrupt him, because he was transgressing the rule of debate, which does not permit the introduction of extraneous matter. I believe the hon. gentleman who has just spoken made a mistake, when he stated that the vote of thanks to General Hislop must be confirmed by a second court. This is not correct. There is no such proceeding in our practice."

Mr. Lowndes continued—"Most certainly, if he could vote by proxy, he should have done so on the day to which he had averted, for their gallant army deserved the utmost praise. He would here drop the subject, and apply himself strictly to the question under discussion. The motion should have his most cordial support, because no man had ever more completely cleared himself than Mr. Campbell had done. For the same reason, because Mr. Smith might also prove his innocence, he would not prejudice that gentleman, always recollecting that, in mercantile accounts, the words "errors excepted" were very properly retained.—(*A laugh.*)—From what Mr. Campbell himself had said, with liberality and candour, they might indulge a hope that Mr. Smith would be able and willing to clear himself from all unfavourable imputation. They all knew the dreadful effects of prejudice, and ought to guard against it. Nothing on earth was productive of so much mischief. This was the age of prejudice. It was peculiarly directed against one set of men (the Bank of England) whom the circumstances of the times had obliged to act in a manner that gave offence to those

who had not weighed the situation of the country. An investigation was now going on which would assuredly prove most honourable to them.—(*Question ! question !*)—He trusted, that Mr. Smith would act as Mr. Campbell had done, namely, request the court of proprietors to take his case into consideration, and to judge fairly, honestly, and impartially of his conduct. Having stated his sentiments on this subject, he would, as a rider to the bill, conclude with giving his most hearty thanks to the brave and gallant army in India for their glorious achievements ; and to their noble and valorous Commander-in chief, who had proved himself to be a true disciple of the Marquis Wellesley !"

Mr. D. Kinnaid did not mean to detain the court long from coming to a decision on this question, but trusted the proprietors would grant him their indulgence while he made a few observations, which he felt absolutely necessary, on the subject before them. He did not often obtrude himself on their notice, and he was grateful for the attention that was paid to him when he felt himself obliged to deliver his sentiments. On the present occasion, he conceived that he should not be fairly discharging the sacred duty which he owed to the character of the court of directors, as well as to that of the individual whose conduct was now the subject of discussion, were he to content himself with silently giving his vote in favour of the resolution. There was not, he was certain, any man who felt an interest in the proceedings of the Company, or who was anxious that the character of the court of directors should stand pure and unimpeached, who did not already perceive that his own character was somewhat involved in questions that concerned the honour of the executive body. (*Hear, hear !*)—He must do so, when he recollected that he was one of their constituents ; that the directors, by his suffrage and the suffrage of others, became the representatives of the Company ; and that he every year, by his vote as a proprietor, bore testimony to the upright character of those persons to whom he confided the management of their affairs. (*Hear, hear !*) It was therefore with great propriety that Mr. Campbell had appealed to the court of proprietors on so important an occasion ; and he confidently hoped that the precedent now established by him would always be followed in future. (*Hear, hear !*) He was sure that many gentlemen, who viewed the question in the light he did, would not content themselves with giving a silent vote ; and he was convinced that all would go away satisfied with having done an act of justice to Mr. Campbell, and

fully impressed with the honour of the executive body, on which they might place the utmost reliance; a feeling which might be considered the very best return which could be made to the court of directors for their zealous attention to the interests of the Company. He should have thought, if not even one word had been said after Mr. Campbell's address, if not a single expression had been used to confirm those feelings which seemed generally and spontaneously to actuate every breast in the court, as to the character of the transactions in which Mr. Campbell was engaged, that he was clearly entitled to an acquittal. If the subject were minutely discussed, he believed scarcely an individual could be found who in his dealings, though he might not be aware of it, had not been guilty of usury almost every day of his life. There was not a merchant who sold an article at a profit of more than five per cent. on the sum in which it cost him, that was not equally guilty of usury as the man who lent money at an interest greater than what was now legally established. (*Some disapprobation.*) The moral guilt was undoubtedly the same. He was very well aware that this was an opinion not generally adopted at the present moment; but the principle, if he mistook not, would be recognized by the law of the land in the course of a very few days. A bill on this subject had been recently brought into parliament, which he believed would receive the sanction of the legislature. The object of that measure was, to place money on the same footing with other commodities, as was now the case in many countries. He had incidentally stated his opinion on this subject, and was sorry to have introduced any thing that could divert the attention of the court from the main question. He felt that it was a species of injustice, since it detained the proprietors from the expression of their sentiments on Mr. Campbell's conduct. He hoped the proceedings of this day would free an honourable, useful, and a distinguished man (as they had heard from the best judges) from every taint of suspicion, and place him beyond the reach of calumny. (*Hear, hear!*)

Mr. *Weeding* said, he had heard much of the merits of the gentleman whose case was now under consideration, and in the praises which they elicited he most cordially concurred. He also was desirous of stating the opinion he entertained of Mr. Campbell. It would be proper for him to observe that he had no knowledge whatever of that gentleman; that in fact he did not even know him by sight till he was honoured by a seat in the direction; but in the few communications he afterwards had with him, Mr. Campbell impressed him with sentiments of esteem

and respect. (*Hear! hear!*) He was accessible at all times, and he had found his conduct on every occasion polite and obliging; he was ever ready to give information, and seemed to feel a pleasure in discharging the duties of his situation with affability as well as zeal. He thought it necessary for him to say this, because it related to Mr. Campbell's particular merits, and hitherto his general merits only had been touched on. An hon. proprietor (Mr. Wallace) stated, that no unfavourable reports, relative to the conduct of Mr. Campbell, had reached him in India. This was only negative praise. He did not, however, mean to mention this point invidiously; for indeed the same observation would naturally present itself to every gentleman, and doubtless was felt by every member of the court of directors. But when character was attacked, it ought to be set right by a direct appeal to the manners, habits, and general conduct of the individual assailed. The question in this instance seemed to him to be completely set at rest by the statement of the hon. ex-director himself, by the learned gentleman who had introduced the resolution, and by the concurrent testimony of those honourable individuals behind and before the bar who had delivered their opinions. Perfectly convinced of Mr. Campbell's integrity, he should give his vote most cordially for the resolution. (*Hear, hear!*)

Mr. *Gulagan* said, he did not rise for the purpose of postponing for many minutes the honorable testimony of approbation due to the character of Mr. Campbell, which formed the subject of the resolution now before the court. It would be unpardonable in him to do so, since he perceived that the universal feeling of the court was to come speedily to that gratifying decision; and he was the last man who would retard the unanimous and general wish of the proprietors. The reason why he took the liberty of addressing the court, was briefly for the purpose of stating, that though he concurred in every thing contained in the resolution of the learned gentleman, still he did not think that the motion went far enough. He had not himself the presumption to move an amendment; but for the satisfaction of his own feelings, he begged leave to state why the resolution did not, in his opinion, embrace that extent of commendation which the circumstances would clearly warrant. As to the hon. gentleman, he was perfectly and totally a stranger to him, nor had he made himself master of the contents of those papers which were lying on their table, until he heard the statement of the learned gentleman, which might be considered the echo of those documents, aided and assisted by a luminous exposition of their tendency and

bearing. The question was not whether a compliment should be paid to Mr. Campbell, on account of his honourable character; that was not all, the circumstances seemed to him to require much more. A more precise and definite resolution would perhaps answer the purpose better; and he should be glad, after he had stated his sentiments, if any gentleman behind or before the bar, who viewed the case as he did, would propose an amendment with that object. Mr. Campbell was accused of having contravened the regulations of the Indian government. How did he meet the charge? He came forward and said, such are the acts of parliament, such are the Indian local regulations, such are the facts that took place in Vizianagram; are those facts opposed either to a general law or to a local regulation? He proved, by the papers now before the court, that they were not; and therefore he asked, could it be contended that this motion went far enough, when it merely stated that nothing appeared in the course of these transactions that cast any impeachment on his honour? Ought they not to declare their solemn conviction that he had been guilty of no violation of an act of parliament, that he had never contravened any of the local regulations adopted, for wise purposes, by the government of India? Why did he feel that this was a duty incumbent on the court? because they knew that legislative enactments were often directed against proceedings, which *per se* had nothing criminal in them. He agreed with the hon. proprietor (Mr. Kincaid) that many an action, the performance of which militated against no moral feeling, might be considered a fit object for legislative interference; and he could wish it to be specifically stated, that Mr. Campbell had not violated any statute or regulation intended to effect such a purpose. He could wish it distinctly to appear, that Mr. Campbell had not done any act violatory of regulations founded on political and commercial expediency. He hoped it would be stated, that Mr. Campbell had not sought to establish his fortune (as it manifestly appeared that he had not) by the contravention of any statute or regulation, meant for the protection of their political and commercial system. If they thought he had not done so, they ought to declare what they felt. It would be an authentication of his honour, a proof that his character was highly prized by those who had investigated his conduct. They ought to declare, as the letter of the advocate-general warranted them to do, that there was not a shadow of reason for saying that Mr. Campbell had, in any instance, acted contrary to the statutes and regulations formed for the better government of the Company. He would therefore

suggest to the learned proprietor, that an amendment to this effect ought to be proposed, *viz.* "That nothing appears on these papers impeaching in any degree the honour of Mr. Campbell; and that it is the opinion of this court, not only that he has not been guilty of a violation of any statute whatsoever enacted by the parliament of Great Britain, or of any local regulation adopted for the government of India, but that he stands acquitted of the imputation of having ever meditated such a proceeding." This would render ample justice to Mr. Campbell, and he was sure the court were anxious that justice should be done to him. By adding his ideas, to use the phrase of a hon. gentleman (Mr. Lowndes), as a rider to the motion, every just end would be obtained. This was his opinion, and he thanked the court for their patient attention to the statement of his sentiments.

Mr. Hume had no intention to have risen on this occasion, had it not been for what had fallen from the hon. proprietor, who he imagined had not distinctly heard the resolution when it was read. He found in the resolution, as his learned friend had drawn it up, almost the precise words proposed by the hon. proprietor. (Mr. Gahagan, "No!") The words were, that "nothing appeared in the papers laid before the court to impeach the honour of Mr. Campbell; and that he continued entitled to that confidence which had placed him in the direction of their affairs." He was ready to admit that there was a little difference; but in point of fact, he would submit to the hon. proprietor whether the sense was not virtually the same? Every gentleman there, who had examined the papers from first to last, as he had done, (and he had not confined himself to public documents, but sought information from every private source within his reach), every proprietor who pursued the inquiry, must perceive in how high a situation, with reference to character, Mr. Campbell had stood in India; they must at once observe the favourable opinion which had, for years been formed of him. After a search so satisfactory, he would go to the full extent of expression suggested by the hon. proprietor, if he deemed it necessary; but he would beg leave to say, that, on many accounts, it was extremely desirable not to overlay the resolution. (*Hear, hear!*) When a great public body, like the court of proprietors, adopted a resolution, it ought to be simple, plain, and intelligible; it ought not to contain a word that might be made the subject of doubt or cavil. (*Hear, hear!*) The court would permit him to say, that Mr. Campbell was placed in a situation which called forth his strongest sympathy. But while he felt for his situation, he must observe, that had he on inquiry believed

him to be guilty of the charges alleged against him, nothing should have prevented him from stating openly in that court the conviction of his mind. With these impressions, he was sure the hon. proprietor must feel, that a vote, founded on the papers then before them, to be truly valuable, must receive the unanimous suffrages of the proprietors. (*Hear, hear !*) Though, in point of substance, the amendment of the hon. proprietor was not different from that now before the court, yet, as various individuals gave various interpretations to the same expressions and the same transactions, he conceived, in order to prevent the slightest cavil at any word, it would be better to adopt the resolution of his learned friend, who was entitled to the thanks of the court for the prudent and judicious manner in which he had drawn it up. (*Hear, hear !*) Having said this, he still considered it an act of duty to say a very few words with reference to Mr. Campbell's conduct. It afforded him considerable gratification to do this, for he admitted that he felt a very warm respect for that gentleman, after having fully examined his case. He felt that, as he had acted with integrity in India, so he would conduct himself in this country. He had, unassisted by any connection with the Company, attained an honourable independence: this, he knew, he could not have done but by honest, assiduous, and praise-worthy exertion. He did not mean to disparage any person in the Company's service, but all those acquainted with the subject would bear him out when he said, that a person who pursued the avocation of a free merchant had more opportunity, in a few years, of learning the various duties connected with the Company's services, than many who were really employed by them. He had himself formed a very favourable opinion of Mr. Campbell's abilities, and he was exceedingly glad to find that he was likely to become an able and efficient director. He could assure the court, that there was not one individual to whom he had spoken on the subject of Mr. Campbell's character and conduct in India, that did not, in the most unqualified manner, speak of him as a gentleman of irreproachable name. (*Hear, hear !*) Gentlemen behind the bar, who had known him since his arrival in this country, spoke of him in the highest terms; private letters contained accounts of his conduct that were equally flattering; and he conceived the court, under all the circumstances, would only do him a common act of justice by passing a unanimous vote of acquittal and approbation.

Mr. *Wolpinstone* said, after considering all the papers that had been laid before them, his mind was completely made up,

and he felt no hesitation in declaring his candid and unprejudiced opinion that Mr. Campbell stood perfectly acquitted, and that not the least portion of stain rested on his character. (*Hear, hear !*) He believed him to be, in every relation of life, public and private, an honest, honourable, and estimable man. He (Mr. E.) had been, for many years, through the favour of the proprietors, placed in the honourable situation where he then stood. He had known many gentlemen who came forward in the direction, but he had seen few so well calculated, at least who so soon evinced a correct knowledge of the duties of a director, as Mr. Campbell had done. He certainly had no right to talk of others; but of himself he might say, that he was for years in their service before he was so well acquainted with their business as he always found Mr. Campbell to be. If that individual conciliated their favour, he was convinced that a better man could not be selected for the superintendence of their affairs. (*Hear, hear !*)

The *Chairman*—"I beg leave to trouble the court with a few observations on this question. Mr. Campbell, in his address, has particularly alluded to the conduct of two honourable gentlemen whom I have unworthily succeeded in this chair. I speak of Mr. Reid and Mr. Bebb; he has noticed them with that degree of kindness, and referred to their conduct with that warmth of approbation, which their general character deserves. I beg to claim for myself, and for my honourable friend on my right hand (Mr. Marjoribanks) some degree of the approbation which has been bestowed upon the gentlemen just named to you, for our conduct upon this occasion. The matter in agitation originated previously to my having the honour of filling this chair; I found it in the committee of correspondence, a secret committee, and in consequence of what had passed in that committee, during the time Mr. Reid was in the chair, the paragraphs calling for an explanation of the circumstances stated by the collector went out to India. The answer to those paragraphs arrived since my having succeeded to the chair, and the papers were communicated to Mr. Campbell, in a free, manly, and open manner. Mr. Campbell sent in a letter in consequence, answering several parts of the charge exhibited against him; which letter, by his own desire, or by the desire of his friends, was laid on the table, and was not referred for discussion to any committee of this house, under the expectation that further documents would arrive. I waited till the time approached, when, in my conception, it would have been dangerous to have delayed any longer the introduction of this important subject to the court of directors. In the conscientious discharge

of my duty, I did not think it became me to suffer papers of this kind to remain on record, in any part of this house, without being brought fully under the notice of the court of directors. Papers which struck at a gentleman's character ought, as it appeared to me, to be taken into consideration as speedily as possible. I had a communication on the subject with Mr. Campbell. That gentleman is not now in court: I wish he was present, for he would then have an opportunity of seeing that I have spoken, as I always do, openly, fairly, and candidly. We proceeded to discuss the matter, and, I will not say by my advice, because I was not entitled nor qualified to give it; but certainly after a communication with me, Mr. Campbell adopted the course of laying the subject before the court of proprietors. I think he acted wisely; but, as he has by his address, thrown himself on the great body of the proprietors, I would submit to the hon. mover and seconder of the resolution, whether the sense of the whole court can correctly be said to be obtained by a show of hands. I think on a former occasion somewhat similar, though the facts of the case were different, another course was pursued, and the question was referred to a ballot. The object of such a proceeding is, to give every proprietor an opportunity of declaring his mind, and to take care that no opinion, however popular, should be carried by acclamation, though in a court specially summoned, and certainly entitled to decide.--(*Hear, hear!*)--I hope, therefore, this question may go to a ballot; it can only be done at the recommendation of nine proprietors, and I regret that such a course was not before suggested for our adoption."

Mr. Dixon conceived, and he did so with great deference to the better judgement of the hon. chairman, that the declaration of the opinion of the proprietors, as far as respected the conduct of Mr. Campbell, should be settled in that court. (*Hear, hear!*) He said this from the knowledge he had obtained, and with which every person in the course of a long life must be acquainted, that there was not a man existing, however good his conduct might have been, however pure and honourable his motive, that would not, from some cause or other, arouse the unkind feelings of individuals, who would be any thing rather than well-wishers. (*Hear, hear!*) If Mr. Campbell had offended any such persons, if he had any such secret foes, the malice of their disposition should not have an opportunity of shewing itself. (*Hear, hear!*) This was his opinion, and he hoped and believed the great majority of the court felt as he did. (*Hear, hear!*)

Sir J. Shaw said, he had not intended to have taken up the time of the court when he originally entered it, nor to have

offered a single observation on this subject, ably as it had been handled by the gentlemen who had preceded him, but after the idea that had been thrown out from the chair he could not remain silent. He perfectly agreed in sentiment with the hon. proprietor who had just sat down, and conceived that it would be extremely wrong, in so very numerous and respectable a court, to suffer this question to remain undecided for the purpose of having recourse to a ballot. (*Hear, hear!*) He entirely concurred in the motion of his learned friend: it should meet his most heartfelt support; and, with respect to the sense of the proprietors at large, he had little doubt but that they would decidedly shew it, by very shortly re-electing Mr. Campbell to a seat in the direction. (*Hear, hear!*)

Col. Taylor said, he meant to have left Mr. Campbell's case altogether to the hon. gentlemen on the other side of the bar; but after the speech of the hon. chairman, proposing to terminate this business by ballot, he felt himself bound to come forward and state what he knew of the gentleman whose conduct was under consideration. He would do so the more particularly for this reason, because he was resident for seven years in that part of the country when the transactions were said to have taken place; and four or five times in the year he was in the habit of passing by the place where many of Mr. Campbell's commercial concerns were carried on. From the first time of his seeing Mr. Campbell until the period of his leaving the country, he never heard him spoken of but in the most favourable terms. (*Hear, hear!*) From his first introduction to him he formed the highest opinion of his character, an opinion which was strengthened and fortified by every thing he had since heard. He did not know much of mercantile transactions; what knowledge he had obtained was acquired in that court: but he believed Mr. Campbell was most fair, honest, and punctual in those concerns. One thing had occurred, while he was in India, which raised Mr. Campbell very much in his opinion. A friend of his (Col. Taylor's) Mr. Wallace, of Zagapatam, thought Mr. Campbell so worthy the confidence of the Company's servants, that in 1800 he assisted him in getting up a large investment of cloth. This proved that he was considered to be a valuable and honourable man in that part of the country, and one whose commercial transactions were of that open and honest nature which challenged inquiry. Since he came home he knew very little about Mr. Campbell, but he respected him as much as he ever did. (*Hear, hear!*) The hon. ex-director stated in his address, that he generally received about 12 per cent. from the

Zemindar; five per cent. for insurance. He knew little of such concerns, but he would venture to say, that neither the Zemindar, nor any other prince, be he whom he might, would be ruined by transactions of that description; for in those parts of the presidency the usual interest was three per cent. per month, or 36 per cent. per annum. (*Hear, hear!*) He was no merchant, but he thought it due to Mr. Campbell to state what he positively knew. (*Hear, hear!*)

Col. Allan said, he also felt it to be an act of justice towards Mr. Campbell to declare, that during four years and more, when Lord Hobart was governor of Madras, he had an opportunity of witnessing his conduct, and he was free to state, that every thing he knew of him, and every thing he heard of him, gave him the highest opinion of Mr. Campbell's character as a man of strict integrity and unblemished honour. (*Hear, hear!*) If he might be permitted to say a word of him as a director (and he hoped no person would be displeased with him for stating his opinion) he would declare, that Mr. Campbell was as zealous and attentive a man as ever sat behind their bar, and he believed the proprietors could not bestow their votes on a more efficient or a more honourable man. (*Hear, hear!*) He (Col. Allan) was alluded to in the ex-director's address, as one of those who had gone over his books. He had done so with the utmost attention; he would say, with an attention bordering in jealousy. He told Mr. Campbell that he could expect no favour from him as a friend; that he had an important duty to perform, which respect for himself made him determined to perform most strictly, and that therefore Mr. Campbell would excuse him if he looked over his accounts with considerable jealousy. This he had done, and he found a result precisely similar to that stated by the three gentlemen who made the report. He looked upon Mr. Campbell as a man of integrity and a man of ability; and considering the painful situation in which a man of his character had been placed, he thought the delay, even of an hour, in doing him ample justice, ought to be avoided. (*Hear!*)

Mr. Lowndes said, there were three reasons why this question should not proceed to a ballot; first, because Mr. Campbell's innocence was manifest, and as they were all agreed on that point, a further proceeding was unnecessary; secondly, because there was no man in the world, however good, who might not have a secret enemy; and thirdly, because such an enemy ought to be prevented from venting his malignity.

Sir J. Jackson said, he, like other gentlemen who had preceded him, did not originally harbour the intention of troubling the court on this occasion.

He rose, however, for the purpose of opposing the proposition for a ballot. He felt really astonished that any idea of that kind should have been started, when the court exhibited so very numerous and so highly respectable an assembly. (*Hear, hear!*) He considered such a proceeding as altogether unnecessary, particularly when, on some future day, a ballot must take place on Mr. Campbell's fitness to act as a director; this circumstance, he repeated, rendered a ballot totally unnecessary now, not to say improper. (*Hear, hear!*) He therefore hoped that no recommendation of that nature would be tolerated. They saw, in that respectable court, a vast body of proprietors, to whom this question ought to be entirely left. On his side of the bar, there would be no sort of propriety in interfering with it; the proprietors alone, by whose decision Mr. Campbell wished to stand or fall, ought now to dispose of the question. With respect to Mr. Campbell, he knew no man of a more acute mind, of more industrious habits, or who possessed a greater, more extensive, or more useful knowledge of Indian affairs. (*Hear, hear!*) He had witnessed Mr. Campbell's conduct in the court of directors, and he was highly pleased with it. He had also marked his exertions in committees of finance, which evinced much cleverness and a perfect acquaintance with his subject. He appeared, indeed, to have a turn that way, and investigated the Indian finance with accurate judgment and with scrutinizing jealousy. (*Hear, hear!*) Such a gentleman was extremely useful in the direction. He believed Mr. Campbell to be above committing the acts imputed to him, and he most sincerely hoped that no ballot would be resorted to. (*Hear, hear!*)

The Chairman—"My object in proposing a ballot is clearly explained by my former statement; the only way for distinctly ascertaining the sense of the great body of proprietors is by adopting that course. It is not by any means pleasant to my feelings to offer this suggestion; I have not the vanity to think that I am right when so many sensible men oppose me; it is my wish, therefore, to withdraw the suggestion. When, however, I thus give up my opinion, it is really as a concession to the majority, who, it is to be supposed, are much better qualified to judge of its propriety than an individual.

The question was here loudly called for when the Chairman said—

"Before I put this question, I beg leave to state to the court, that having a character of my own to support, and having formed an unbiassed opinion of my own, founded on a careful perusal of the papers now before you, I cannot, consistently with that opinion, assent to this motion, though I do not certainly mean

to oppose it. There is one of the articles of charge brought against Mr. Campbell which is not at all touched upon in his answer; I mean the charge of receiving twenty-four per cent. interest. I do not see that part of the accusation repelled in his answer, and therefore consider his defence incomplete. I am not base minded enough to hold up my hand against an individual on my own sole and unsupported opinion; but, on the other hand, I bear not that equally base pliability of character which would induce me, because others are satisfied, to hold up my hand in favour of what my heart does not approve. If Mr. Campbell should be returned to the direction, and it must be presumed he will from the general sentiment which appears to prevail; if Mr. Campbell is the man you have taken him to be, and what I sincerely wish he may prove, he will himself be satisfied with the line of conduct I have thought it my duty to adopt on the present occasion. For myself, it is equally my hope that you will approve of the conduct I have pursued on this and on every other occasion, that of speaking my mind without concealment or reservation.

Mr. *Crawford* said, the accounts before the court fully acquitted Mr. Campbell of the charge referred to by the hon. chairman. If the hon. chairman would examine the documents produced by that gentleman, he would see that each transaction was accompanied by an agreement and a policy of insurance; the latter separate and distinct from the bond. The bond itself bore interest at 12 per cent. and no more.

Sir *James Shaw* hoped, after the representation made by the hon. proprietor, that the vote to Mr. Campbell would pass unanimously.

Mr. *H. Jackson* said, no man could receive with more respect than himself the sentiments that fell from the chair in the course of debate. He was exceedingly rejoiced to see an hon. director in that chair who would not give up his opinion, when he believed it to be properly formed, to any degree of partiality, or to any superior array of adverse numbers; who was not to be led away from the path of duty by popular applause, and whose firm judgment would never sink beneath the dread of popular clamour; one, in short, who would manfully state his sentiments, although in doing so he stood single. (*Hear, hear!*) It would give him very great pleasure if he could have removed from the mind of the hon. chairman that doubt which he had taken ample care to eradicate from his own before he drew the attention of the court to Mr. Campbell's case. If they took the aggregate of Mr. Campbell's transactions with the Zemindar, as stated by the gentlemen who had investigated his accounts, they amounted to 6,64,193 rupees, and the

resulting interest, supposing it to be applied to the year, was but 10 per cent. excluding insurance; but if applied as the hon. proprietor (Mr. *Crawford*) had done, the interest on the bond was about 12 per cent. The gentlemen called on to examine those accounts had put their names to this honourable declaration, that in no instance had Mr. Campbell departed from the integrity of the British merchant, that in no instance had he violated the laws or regulations established for the government of the presidency. One gentleman (Colonel *Allen*) who had charged himself with all the trouble of inspecting those voluminous accounts had recently addressed the court. What he (Mr. *Jackson*) collected from the hon. gentleman was this: "I saw every single item, I marked every single advance, and I will pledge myself, from industrious research, that Mr. Campbell has not received more than 12 per cent. interest; the rest is insurance." Now, take the amount of interest at 12 per cent. and apply the given sum to insurance, and the total would be found less than the Equitable Society would demand. Such was the result of the papers before them. Mr. Campbell had told them, that to every bond and to every instrument connected with these transactions his name was attached in his own hand-writing; and on the winding-up of every transaction he endorsed it, as an account current, containing the whole of that transaction. He quoted, so much for interest, so much for the risk or insurance of life, forming together so much. The result, interest *quâ* interest, 12 per cent., insurance *quâ* insurance not more than £5, was regularly set down. They would recollect that Mr. Campbell said, in his address, "My name is affixed to these instruments. I invoke those bonds as my best evidence. They have not been sent to this country, but let copies be taken of them, properly attested and verified before one of your judges, or the resident of the district, and transmitted to England." The collector, who ought to possess them, if they were in existence, had not sent home one single original or one single transcript. Though there were fifty transactions to which the charge applied, he had not sent home a single bond or instrument. They must condemn Mr. Campbell to infamy, or acquit him that moment, on the accounts which were laid before them. It was impossible for them to do the former, knowing, as they did, that the person who originated the charge had spoken of his authority, not only as most fallible, but as wholly unworthy of credit.

The *Chairman*. "The learned gentleman has totally mistaken the ground of my observations. My argument was, that the charge conveyed against Mr. Campbell was

the echo of what came from the collector at Vizagapatam, which was, "that Mr. Campbell had received at one time, for interest only, two lacs and seventy thousand rupees, and that too at such a rate of interest as was, he hoped, never heard of before." This is not explained away, and it is on that account I cannot approve of the resolution. I fear not the world when I feel myself to be right. As the learned gentleman has been pleased to say of me, I am neither to be seduced by the love of popularity nor awed by the dread of popular clamour. If I cannot obtain popularity by a strict and undeviating line of conduct, by a zealous discharge of my duty, however unpleasant, I wish not to possess it. (*Hear, hear, hear !*) When I saw Mr. Campbell's letter of exculpation to the court of directors, I hoped, I earnestly hoped, that it would contain a full refutation of the second part of the charge; but I find in his letter, which I cannot now have access to, not knowing where it is, no refutation of the point to which I have alluded. I recollect him to have said in his letter that he received twelve per cent. and a premium. That premium, according to the papers before us, is supposed to cover an insurance of the Zemindar's life; but it would have been better if Mr. Campbell had stated, in plain terms, that he had not received twenty-three per cent. interest: had he done this plainly, he should have had my vote. He has not directly stated the fact, but has introduced a variety of figures to shew that he received only twelve per cent. interest, and a premium, which is made to appear to be only five per cent., or thereabouts. The period, however, for which the loans were made is not explained, and therefore, in my mind, the document is inconclusive. I am sorry not to be able to agree in this resolution; I shall not hold up my hand in favour of it, neither do I mean to oppose it.

Mr. Elphinstone, after paying the utmost attention to the hon. chairman, could not understand him. Mr. Campbell expressly stated to the court, that he received 12 per cent. interest and 5 per cent. insurance; how the hon. chairman could make this out to be three or four and twenty per cent., or where he could find any thing ambiguous in the statement, he was quite at a loss to imagine. He thought Mr. Campbell had acquitted himself fully, and stood fairly and honourably before them.

The resolution was then put and carried amidst loud applause.

Mr. Hume begged the attention of the court for one moment. The resolution met with the concurrence of every gentleman before the bar, and, in order to render it effectual, he wished that it should be published. (*Hear, hear !*) It was well known to the court that publicity had

been given to the charge against Mr. Campbell: it was therefore an act of justice that the resolution now agreed to should be printed in all the London newspapers. Mr. Hume made a motion for this purpose, which was carried *una voce*.

Mr. Hume—"I suppose the resolution will be entered as agreed to unanimously, no hands having been held up against it?"

No answer being returned,

Mr. D. Kinnaird inquired whether the resolution was to be considered as having been carried unanimously or not? He apprehended that it had been unanimously agreed to, as, he believed, no hands were held up against it.

Mr. Hume—"I move that the word unanimously be inserted at the bottom of the resolution."

Mr. Lowndes was also of opinion that the resolution was unanimously agreed to. He thought so on this ground, that if any person were brought before a court of justice, and his prosecutor did not appear, he was honourably acquitted, no person having stood forward against him. Now, by the rules and usages of all courts, Mr. Campbell must be considered honourably acquitted, since no one had accused or held up a hand against him.

The Chairman—"The resolution has not been unanimously carried. Though I did not hold up my hand against it, I did not approve of it, and certainly it was in my power to have opposed it. I hope gentlemen, for delicacy's sake, will not press this proposition."

Mr. D. Kinnaird—"Is it usual, on these occasions, for the chairman to give his opinion, or to hold up his hand at all? Because, if he has not a right to hold up his hand, and every other person has done so, in favour of the motion, it strikes me that it is unanimously agreed to."

Mr. R. Jackson—"Inasmuch as no gentleman, be his sentiments what they may, expressed any hostility, by holding up his hand against the motion, whilst numerous hands were held up in favour of it, it follows, as a matter of course, that it was carried unanimously."

Mr. Robinson said, it must be admitted that there were two clear and distinct modes by which a vote of any particular description might be recorded. It did not require a hand to be absolutely held up against it, to carry a resolution *nemine contradicente*; it was sufficient that it was not altogether approved of, although it was not opposed. But, if it were recorded as a unanimous vote, when a member declared he could not concur in it, although he would not hold up his hand against it, such a record was not a true and faithful one. To authorise a record of "carried unanimously," there ought to be no shade or difference of opinion.—(*Hear, hear !*)

Mr. Elphinstone said, it would be

much better if the gentlemen who would not vote for the resolution had held up their hands against it; they would then see who voted for, and who opposed it. Under the record of "carried *nemine contradicente*," it might be supposed that many persons were hostile to the motion, whereas there was in fact but one.

Mr. Astell said, that, on the main question, he meant not to offer his opinion, but he thought that the line of conduct pursued by the hon. chairman deserved the indulgence of the court. A sense of duty, and sense of duty only, had induced him to speak his sentiments, but there he stopped. Actuated by feelings of delicacy, though he might have expressed himself more at length on the resolution, and, ultimately might have held his hand up against it, he declined taking that course.—(*Hear, hear!*) From the experience, and it was certainly an inconsiderable one, which he had had in that court and other places, he was convinced there was a great difference between a motion carried unanimously and one agreed to *nemine contradicente*. Those who would attempt to record this as an unanimous vote, would place the chairman in a very unpleasant situation, in a situation which his moderate conduct certainly did not deserve.—(*Hear, hear!*) They would compel him, in justice to his own feelings and opinion, to hold up his hand against the motion. (*Hear! hear!*) [Mr. D. Kinnaird.—"He has not a right, as chairman, to do so."] He (Mr. Astell) conceived the chairman had a right to vote, though not to give the casting voice. He had as a proprietor a right to hold up his hand, but he had not done so: and it was for gentlemen to consider whether, in point of delicacy, having stated what his sentiments were, he had not adopted the most prudent and conciliatory course.—(*Hear, hear!*) The result, he conceived, must be the recording of the resolution as carried *nemine contradicente*, and he appealed to their legal officers whether it could be entered in any other way. If it were recorded in a different manner it would not be a fair statement of what occurred; but if the course he suggested were pursued, the resolution would go forth to the world, through the medium of the public prints, with all the weight which the opinion of so large and numerous a court must carry with it; at the same time that they would have the pleasure of reflecting that their forms were strictly complied with.

Mr. D. Kinnaird said, the explanation given by the hon. director was most satisfactory. He had stated that it was the practice for the chairman in that court to give his vote, a circumstance which he was not before apprised of. In fact, he really believed, prior to this explanation, that the chairman did not possess the

right of voting; but, being corrected on that point, he was anxious to withdraw his opposition from the form of entry suggested by the hon. director, which was evidently the most regular. The hon. gentleman who now filled the chair had acted in the most praiseworthy manner; a fairer or more honourable line of conduct than that pursued by him could not possibly be imagined.—(*Hear, hear!*) He admired and respected him for it; and the honest manliness of his conduct made him the more regret that those who supported the resolution had not the benefit of his voice. He believed the hon. chairman was acting under some mistake, but he also believed that he acted from a conscientious feeling that his conduct was correct.—(*Hear, hear!*)

Mr. Lowndes wished to move the thanks of the court to the hon. chairman for the integrity which he displayed on this occasion. It would be a warning to other directors to act in a similar manner, and would shew that no cringing, no mean supplication, no private feeling, should prevent them from declaring the real sentiments of their hearts. It would go forth to the world, and would reflect additional honour on Mr. Campbell, for the exclamation would be, "how honourably are the affairs of the Company conducted, when the proprietors thank their chairman for differing from them in opinion, because they know that his opposition comes from integrity of heart."

The resolution was then ordered to be recorded as carried *nemine contradicente*.

HOME ESTABLISHMENT.

The Chairman. "I have yet another subject to mention; and must apologize to the court for the delay I have occasioned, in consequence of the feelings and opinions I conceived it my duty to express. (*Hear, hear!*) If I could have taken the same view of the question with other gentlemen, it would have been a source of great comfort to me; for it was with the utmost reluctance, seeing the situation I am placed in, that I abstained from voting for the proposition. Nothing but a sense of absolute duty actuated my conduct. (*Hear, hear!*)

"I have now to acquaint the court, in reference to the communication of the 17th Dec. 1817,* that the court of directors having considered plans for the formation of two funds for the relief of the widows and children of deceased officers of the Home Establishment, the resolutions respecting them will be submitted to the proprietors at the next Quarterly General Court, which will be held on the 24th of March. The papers on the subject are now open for the inspection of the proprietors."

Adjourned.

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

March 1.—The Earl of Shaftesbury, in the absence of the Earl of Liverpool, laid on the table certain treaties, and other papers relative to the late transactions in India.

The Marq. of Lansdown observed, that the papers did not include a copy of the despatch from Sir T. Hislop to the Governor-gen. relating to the execution of the killedar of the fort of Taluier. He thought their lordships should have a copy of that despatch before them when any question relative to India came to be discussed. He had communicated to the noble secretary of state his intention to move for this paper, and understood there was no objection to its production.—Ordered.

Thanks to the Marquis of Hastings and the Army of India.

March 2.—The Earl of Liverpool moved the thanks of the house to the Marq. of Hastings, Governor-gen. of India, and the officers and troops under his command, for their conduct during the late war in India. The papers on the table had informed their lordships of the origin, progress, and termination of the hostile operations; he did not, however, think himself warranted to call for a vote of thanks, without stating the general nature of the transactions which had occurred and the result of the military operations. The late hostilities originated in necessary measures of self-defence, adopted by the government of India against the aggressions of the Pindarees, a body consisting of about 30,000 men, subject to no regular discipline, and having no national existence. These troops invaded the territories in the neighbourhood of the British possessions, for the purpose of plunder, and had continued their depredations for several preceding years; so that it would have been justifiable to have taken measures against them at a much earlier period. But the peace policy adopted by this country, and a sentiment that if hostilities once broke out in India it would be impossible to prevent them from being carried to a great extent, induced the Governor-gen. to avoid any thing like hostile measures. At last, in 1816, the Pindarees invaded the British territory in the presidency of Madras, burned some villages, and laid waste the country. It was now absolutely necessary to resort to measures of self-defence. The Marq. of Hastings, however, received information that the measures necessary to repel the Pindarees might lead to war with certain powers connected with them, and in particular with Scindiah and Holkar. The Governor-

gen., particularly desirous that hostilities should not be extended beyond the limit which was absolutely necessary, proceeded to negotiate for treaties with these powers. Having intercepted some important information relative to the connexion between Scindiah and the Pindarees, he intimated to that chieftain that he knew his designs, and he even sent the letters he had intercepted to him unopened. He informed Scindiah that he did not wish to know the contents of these letters, and that he was willing to forget all that had passed. In return, he only asked him to enter into a treaty, by which the British government should be relieved from the stipulation in a former treaty, not to contract separate engagements with the Rajpoots. He signed a treaty of alliance containing such a renunciation, in November 1817. The noble marquis adopted the same policy with respect to Ameer Khan. He brought that chieftain to agree to the disbanding of his troops, and to give all the assistance in his power towards the chastising of the Pindarees. Such was the state of things, as known to their lordships, in the last session of parliament, when the accounts of the commencement of hostilities were received. Whatever suspicions were then entertained of Holkar, it was not then ascertained that a conspiracy against the British government had been formed by all the Mahratta powers. A treaty had actually been signed between the Peishwa and the government of British India, while a deep-laid conspiracy existed for striking a blow which should at once overthrow the British power. This conspiracy first showed itself in the murder of Gungathur Shastree, an envoy of the Guicavar government, residing at Poona, to settle some pecuniary differences with the Peishwa. The Guicavar, though a Mahratta power, could not be drawn into the combination against the British empire in India; and his minister the Shastree was assassinated at Pundetpore, a place of worship in the vicinity of Poona, to which, on the invitation of the Peishwa, he had accompanied the latter. At the same time insurrections were concerted in various quarters of the Poona territory, to afford the Peishwa a pretext for calling his army into the field. While these transactions were taking place, the Peishwa was not aware that Holkar and Scindiah had been detached. It was on the 5th of November that the treaty had been signed with the latter, and on the 6th, the Peishwa demanded of Mr. Elphinstone that he should dismiss the European regiments from his escort, which he followed up with a treacherous attack on both the British resident and escort at Poona, whose residence and cantonments

were respectively plundered and burnt. In reviewing the military operations, the most important action had taken place between the troops of Holkar and Sir Thos. Hislop, on the 21st of December. An attack was made by the Rajah of Nagpore on our resident there: but the enemy, notwithstanding his very superior force, was repulsed with great gallantry by the British troops. It became necessary, in order to effect the expulsion of the Pindarees, to take possession of a great part of the dominions of Holkar; and a treaty was concluded with him, by which he ceded two-thirds of his territory. The Peishwa being actively pursued, finally surrendered himself, and became a prisoner of the British government. Meanwhile the Rajah of Nagpore, notwithstanding the indulgences which had been shown him, once more intrigued with the Peishwa; and for the complete security of the British possessions, it became necessary to depose that chieftain and raise another to the throne. Thus the confederacy against the British power was completely destroyed. Having said thus much, he could have no doubt of the concurrence of their lordships in the votes of thanks he intended to move. He had shown that the war had been one of self-defence; and it was not necessary to do this by remote argument, the fact appeared directly from the papers on the table. The war had been undertaken on no grounds of doubtful policy. It had not for its object the extension of the British power in India; and of course, on that question, whatever difference of opinion might prevail, their lordships had not to decide. With regard to the military operations, he was confident of their lordships' approbation of the manner in which they had been conducted. (*Hear!*) They were not hastily undertaken, but were the result of a well-digested plan, and the troops had acted simultaneously on every point. Their lordships had been so accustomed to military glory, when the vital interests of the country were at stake, and on fields where the troops were more immediately under their eye, that deeds of arms so remote could not be expected so powerfully to engage their attention; but, upon examination, they would find that no general or troops had ever more meritoriously distinguished themselves. Their lordships knew that the army in India was composed of different descriptions of troops; the Company's troops, whose gallantry was well-known to his noble friend behind him (the Duke of Wellington), had been brought to a high degree of efficiency. It must afford great satisfaction to their lordships, to learn that the native troops of this Indian army, disciplined by our officers, were brought to such a state as to be able to fight by the side of the British army,

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which now commanded the admiration of Europe for skill and discipline, as it always had done for courage. The noble earl concluded by moving that the thanks of the house be given to the Marquis of Hastings, for the victories obtained by him in India, and for the arrangements which led to the conclusion of hostilities, &c.

The Marquis of Lansdown felt great satisfaction in giving his full approbation to the motion, with one qualification, which he should by and bye state, and which was founded in no objection to the general grounds upon which the noble secretary of state had called upon their lordships to concur in this vote. It was gratifying to him, that in supporting the motion, he was not called upon to express any opinion on that system which had led to the increase of the British territorial power in India. Whatever the merits of the policy we had previously pursued might eventually prove, he confessed that the Governor-gen. of India was under a necessity of making war with the Pindaries. It was perfectly clear that wishes of aggrandisement and aggression had nothing to do with the operations of the war upon our part. Having said this, he conceived it hardly necessary for him to state, that he was happy to join with the noble mover in paying full justice to that most rapid decision and complete success which distinguished the conduct of the war in India. But there remained another task or duty, which was infinitely more difficult for him to perform. There appeared on the very face of the late transactions in India one which, however displeasing, it was not possible for him to pass over. It would be recollected that he last night moved for the production of a certain dispatch from Sir T. Hislop to the Governor-gen., and in consequence a copy of the dispatch was now lying on the table of the house. This document gave an account of the execution of the Killedar of Talnier, after the fort had surrendered; an act for which he was certain that their lordships would hesitate to vote their thanks, at least till it was known whether the Killedar was accessory or otherwise to the treachery of his men. He trusted that their lordships would pause before they sanctioned, by implication, such conduct as went to annul the observances of civilized war. If it even were true that the killedar had been guilty of rebellious acts, he was answerable to Holkar, and Sir Thomas, his lordship contended, could not punish him. Upon these grounds, if he was now called to give a vote of thanks to Sir Thomas, he must give it in the negative. At the same time, he cordially joined with the noble earl (Liverpool) in thinking that their lordships should always be ready to reward by their bounty, and support by

their applause, the glorious achievements of our armies in every part of the globe. But even this doctrine might be carried too far; it was necessary, while applauding the prowess of war, to encourage the principles of peace; and above all, if we were destined, as he believed we were, to civilize and govern the vast empire of India, to hold out to the people such examples of justice as should compel them to venerate our institutions, we should study to improve the blessings of peace and soften the rigours of war. He should, therefore, move an addition to the vote, with respect to Sir Thos. Hislop, intimating the desire of the house for such an explanation of the execution of the killedar as should efface the impression which the account of that transaction had made upon the house.

Lord Holland had never come down with a heartier concurrence to any motion, in the course of his public life, than that which their lordships had heard from the noble earl; but he was desirous of saying a very few words, because he was anxious that the nature of his assent should not be mistaken. For the present he should express no opinion on the course of policy in which the British government in India proceeded in their relations with the native powers, though he had notions which he could not easily divest himself of with regard to some of the steps which led to our present ascendancy, and never would become a party to some opinions till after more deliberation than was exercised by some minds. If the vote went to nothing more than the military conduct of the Marquis of Hastings, he was persuaded there never would be a more unanimous concurrence. He was gratified to consider that their thanks were called for to the Marquis of Hastings, whom they had so often heard in that house pleading the cause of humanity and freedom, and from whom so many of them had experienced such kindnesses and courtesies in private life. In regard to the form of the second vote, he thought it would be better to follow the course of his noble friend, giving thanks to Sir T. Hislop for his exertions, but leaving the matter of the Killedar to that explanation which he hoped might eventually be given.

The motion for thanks to the Marquis of Hastings was now carried *nem. con.*

The Earl of Liverpool, on moving that the motion of thanks to Sir T. Hislop should be put, extenuated the conduct of that officer, and asserted that an act of the most consummate treachery had been committed on the British at the surrender of Talnier, which, although not ascribed to the Killedar at present, might, for any thing they knew, be imputable to his agency in some way. He should not, however, be dealing with fairness to that

house, if he hesitated to admit that some information was wanted in the instance adverted to; such was the impression on his mind; and additional information on that affair had already been sent out for. At the same time, under all the circumstances, he could not consent to qualify that vote of thanks about to be transmitted to the Governor-gen., and afterwards read at the head of every regiment where Sir Thomas was so honourably known. Besides, the testimony of the Marquis of Hastings to the merits of Sir T. Hislop ought to weigh seriously with their lordships. He was a nobleman esteemed both for his honour and feeling; and never would have expressed such unqualified applause of Sir T. Hislop's military conduct had the summary severity at Talnier appeared to honorable minds on the spot a stain upon the commander.

The Duke of Wellington professed his entire occurrence in the tribute of approbation bestowed upon the Marquis of Hastings, for his conduct of the late war in India. There could not remain a doubt in the minds of those acquainted with the facts, but that the wisdom of the plan on which it was commenced, and the vigour of its execution, merited the highest praise. The noble duke was pleased that an opportunity like the present had occurred to do justice to the services and gallantry of our troops in India, which were often neglected or disallowed. No troops in the world performed their duty better, or observed a more steady discipline. They had evinced their good qualities in all their late transactions, whether acting in great masses or small detachments.—(*Hear, hear!*)—In all situations they had nobly performed their duty. With regard to the conduct of Sir T. Hislop in executing the Killedar of Talnier, he (the Duke of Wellington) could not take the same view as the noble lords opposite. That gallant and most excellent officer had acquired a high character for his services, both in India and other parts of the world. When it was considered that Sir Thomas had conducted the greatest operation in the war, for the success of which they were voting thanks, it was needless to enlarge on his positive merits. With respect to the affair at Talnier, there was no concealment in the dispatches; and Sir Thomas's conduct was approved by the Marquis of Hastings, with those dispatches full before him. This was *prima facie* in his favour. The gallant general had made a full report to the Commander-in-chief, and received his unqualified approbation; which he was not likely to have done, had the act complained of been so reprehensible as, without explanation, it had been described. The probability therefore was, that grounds on which he could be

vindicated were disclosed in India. Meanwhile the government here had ordered inquiries to be made into all the circumstances which preceded the execution of the Killedar. The house might acknowledge the merits of Sir T. Hislop generally in the war, and suspend its judgment on the act in question. All that the noble duke (Wellington) wished was, that nothing should be done likely to induce the Governor-gen. to send Sir Thomas to a court-martial for such a cause.

The Marquis of Lansdown said, that to meet the view of the noble duke he was willing to omit that part of his amendment which implied an instruction to the commander-in-chief to make further inquiries, and would limit it to the clause stating, that in their present state of information the house meant by their vote of thanks to express no opinion on the conduct of General Hislop, regarding the execution of the Killedar of Taluier.

The Duke of Wellington said, that his object in opposing the amendment was to destroy the necessity which the latter part of it would impose on the commander to bring Sir T. Hislop to trial. He did not object to any demand for farther information, nor did he wish to pledge the house to an approval of the act referred to without such additional information.

After a short conversation between Lord Holland, Lord Liverpool, and the Marq. Lansdown, the amendment of the latter was withdrawn for the purpose of omitting the latter part of it, and was then agreed to. The different resolutions were then read and unanimously agreed to.

March 17.—On motions made by the Marquis of Lansdown, the papers relating to the Sultan of Palembang were ordered to be printed.

March 19.—The Irish East-India Goods bill was brought up from the Commons and read a first time.

March 22.—The Irish East-India Goods Bill was read a second time.

March 24.—The Irish East-India Goods Bill was read a third time, and passed.

HOUSE OF COMMONS.

Feb. 26.—Mr. Canning presented copies of several treaties concluded between the East-India Company and the native powers of India.

March 1.—Mr. Hume was proceeding to move for certain returns, when

The Chancellor of the Exchequer said, that it would be more convenient to give notice of his motion.

Mr. Hume replied, that he had written to the noble secretary at war, who had answered that he might move when he pleased. The hon. gentleman then moved for a return of the number of officers who had entered the army in India, from 25th Jan. 1816 to 25th Jan.

1819, distinguishing those who had been educated at the Royal Military College; and those who had obtained their rank by purchase; also the number of half-pay officers during the same period.—Ordered.

March 4.—Thanks to the Marq. of Hastings, &c. and to the Army in India.

Mr. Canning spoke as follows:

"I rise, in pursuance of the notice given by me to the house at the opening of the session, to propose a vote of thanks to the Marquis of Hastings, and to the officers and troops who served under his command during the late campaign in India. This vote, I wish the house to understand, is intended merely as a tribute to the military conduct of the campaign, and not in any wise as a sanction of the policy of the war. I feel it necessary to state this reservation the more emphatically, lest, from my having deferred my proposition until the papers, which the Prince Regent was graciously pleased to direct to be laid before us, had been for some time in the hands of the members of this house, any apprehension should be entertained that I wished the policy of the measures adopted in India to be discussed on this occasion, with the view of conveying in the vote of thanks an implicit general approbation. I assure you, sir, that I have no such object in view. The political character of Lord Hastings' late measures forms no part of the question upon which I shall ask the house to decide. My object, in the present motion, is to acknowledge with due praise and gratitude the splendid services of the Indian army. I was, indeed, anxious to have the papers upon the table, because some statement of the political relations of the different parties in the late hostilities, in the way not of argument but of narrative, seems necessary, to render intelligible the origin and operations of the war. From these papers I will describe, as succinctly as I can, the situation in which the British government found itself placed towards the different native powers of India: and if, in performing this task, I should let slip any expression of my own opinions as to the policy of the Governor-gen. (and it may be hardly possible to avoid doing so, whatever caution I endeavour to observe), I beg to be understood as by no means calling upon the house to adopt those opinions. In agreeing to the vote to which I trust they will agree this evening, they will dismiss altogether from their consideration the preliminary observations with which I introduce it. I approach the subject, sir, with the greater caution and delicacy, because I know with how much jealousy the house and the country are in the habit of appreciating the triumphs of our arms in India. I know well that, almost uniformly successful as our military operations in that part

of the world have been, they have almost as uniformly been considered as questionable in point of justice. Hence the termination of a war in India, however glorious, is seldom contemplated with unmixed satisfaction. That sentiment generally receives some qualification from a notion, in most cases perhaps rather assumed than defined, that the war is likely to have been provoked on our part, with motives very different from those of self-defence. Notions of this sort have undoubtedly taken deep root in the public mind: but I am confident that in the present instance (and I verily believe on former occasions which are gone by, and and with which it is no business of mine to meddle at present) a case is to be made out as clear for the justice of the British cause, as for the prowess of the British arms. Neither, however, do I accuse of want of candour those who entertain such notions; nor do I pretend to deny that the course of Indian history, since our first acquaintance with that country, furnishes some apparent foundation for them. It is not unnatural that, in surveying that vast continent, presenting, as it does, from the Boorampooter to the Indus and from the northern mountains to the sea, an area of somewhere about one million of square miles, and containing not less than one hundred millions of inhabitants; in looking back to the period when our possessions there consisted only of a simple factory on the coast for the purposes of a permitted trade, and in comparing that period with the present, when that factory has swelled into an empire; when about one-third in point of extent, and about three-fifths in point of population, of those immense territories are subject immediately to British government; when not less than another fourth of the land, and another fifth of the inhabitants, are under rulers either tributary to the British power or connected with it by close alliance; it is not unnatural that, upon such survey and comparison, prejudices should have arisen against the rapid growth of our Indian establishment; that its increase should have been ascribed, not only by enemies or rivals, but by sober reflection and by impartial philosophy, to a spirit of systematic encroachment and ambition. On the other hand, in a power so situated as ours, a power planted in a foreign soil, and without natural root in the habits or affections of the people; compelled to struggle, first for its existence, and then for its security, and, in process of time, for the defence of allies from whom it might have derived encouragement and aid, against nations in the habit of changing their masters on every turn of fortune, and, the greater part, already reduced under governments founded by successful in-

vasion; in a power so situated, it can hardly be matter of surprise that there should have been found an irrepressible tendency to expansion. It may be a mitigation, if not a justification of such a tendency, that the inroads which it has occasioned have grown out of circumstances hard to be controlled; that the alternative has been, in each successive instance, conquest or extinction; and that, in consequence, we have prevailed for the most part over preceding conquerors, and have usurped, if usurped, upon old usurpations. But, with all that might be said in excuse for this disposition of our Indian empire to stretch its limits wider every day, far am I, very far, from describing it as a disposition to be fostered and indulged; or from undervaluing the constant and laudable exertions of the British parliament to check its progress, and, if possible, to counteract its impulse. Would to God that we could find, or rather that we could long ago have found, the point, the resting place, at which it was possible to stand! But the finding of that point has not depended upon ourselves alone. I state these considerations rather as qualifying generally the popular and sweeping condemnations of Indian warfare, than as necessary or applicable in the case of the present war. I refer to the wise and sober enactments of the British parliament, not to dispute their authority or to set aside their operation, but because I can with confidence assert, that at no period of our Indian history have the recorded acts and votes of parliament been made more faithfully the basis of instructions to the government in India than at the period when the Marquis of Hastings assumed the supreme authority. It is but justice to the executive body of the East-India Company to say, that the whole course and tenor of their instructions has been uniformly and steadily adverse to schemes of aggrandizement, and to any war which could safely and honourably be avoided. It is but justice to the memory of the noble person whom I succeeded in the office which I have the honour to hold, to say, that he uniformly inculcated the same forbearing policy, and laboured to turn the attention of the Indian governments from the extension of external acquisitions or connexions, to the promotion of internal improvement. And having said this, it may not be an unpardonable degree of presumption in me to add that I have continued to walk in the path of my predecessor; that I have omitted no occasion of adding my exhortations to those which I found recorded in my office, against enterprises of ambition and wars of conquest. So strongly and so recently had the pacific system been recommended, that upon the eve of the breaking out of

the late hostilities, the hands of the supreme government were absolutely tied up from any foreign undertakings, except in a case of the most pressing exigency. Such an exigency alone produced, or could justify the war, the glorious result of which the house is now called upon to mark by its vote.

"That war takes its denomination from the power against which it was in the first instance exclusively directed, the Pindaries: a power so singular and anomalous, that perhaps no exact resemblance could be found for it in history; a power without recognized government or national existence; the force of which, as developed in the papers upon the table, is numerically so small, that many persons have naturally enough found themselves at a loss to conceive how it could be necessary for the suppression of such a force to make preparations so extensive. It is true that the Pindarries consisted only of from 30,000 to 40,000 regular and irregular horse; capable, however, of receiving continual reinforcements, and of eluding, by the celerity of their movements, the attack of regular armies. Remnants of former wars, the refuse of a disbanded soldiery, they constituted a nucleus round which might assemble all that was vagabond and disaffected, all that was incapable of honest industry and peaceful occupation, all that was opposed in habit and in interest to a system of settled tranquillity in Hindostan. Hostilities against them could, therefore, be undertaken only at the risk of bringing into action all the elements of a restless and dissatisfied population; and the hazards to be calculated were not merely those arising from their positive strength, but those also which might arise from the contagion of their excitement and example. It was not, however, from mere speculation as to the danger to be apprehended from such a body collecting and bringing into activity the unquiet and dissolute of all manner of castes and tongues and religions; it was not from theoretical conviction of the incompatibility of the existence of such a power in central India with the maintenance of social order and general peace, that the late war was undertaken. The Indian government, however confident its persuasions upon these points might be, however keen its sense of the perils to which the peace of India was exposed, were too fast bound by their instructions to strike the first blow, or to engage in war upon any less provocation than that of positive aggression, either against the British power itself, or against allies whom its faith was pledged to defend. The war was provoked by actual aggressions, such as no government could endure without the neglect of a sacred duty. The native population would, without doubt, have had just

reason to complain if the British government, having superseded those who would have sympathized with their sufferings, had omitted to avenge injuries which the awe of the British name ought perhaps to have been sufficient to prevent. Neither was it one aggression only, nor a series of aggressions confined to one year, that called for chastisement: nor was it against distant provinces, or obscure dependencies of the British power that these injuries had been directed. So long ago as 1812 an irruption was made into Bengal; in 1813 into the territory of Bombay; and in 1816, accompanied with circumstances of extraordinary audacity and outrage, into that of Madras. Of this last irruption intelligence was received in England within a few weeks after the final and most peremptory injunctions of a forbearing policy had been despatched to India: and this intelligence it was that determined the government at home so far to relax those injunctions, as to loose the hands of the Indian government specifically against the invaders. Even without such specific permission, the government in India could not longer have forborne; unless it had forgotten what it owed to its subjects, and had been contented to forfeit its good name throughout the territory of Hindostan. And it is but justice to that government to say, that it had taken on its own responsibility a determination conformable to its character and its duty. Fortunately, the delays incident to the season at which this determination was taken, enabled the Marquis of Hastings to receive from home a warrant for his proceedings, before he began to act on his own discretion. The war, therefore, against the Pindarries, was undertaken by the Indian government, with the full concurrence of the government at home. And what was the nature of the aggressions which called for this concurrence? Nothing can be imagined more dreadful than the irruptions of the Pindarries. There is no excess of lawless violence which they did not perpetrate; no degree of human suffering which they were not in the habit of inflicting. Rapine, murder in all its shapes, torture, rape, and conflagration, were not rare and accidental occurrences in their progress, but the uniform and constant objects of their every enterprise, and the concomitants of every success. After ravaging tracts of country of all visible wealth, they inflicted torture on innocence, helplessness and age, for the purpose of extorting the avowal and indication of hidden treasure. There were instances where the whole female population of a village precipitated themselves into the wells as the only refuge from these brutal and barbarous spoilers; where, at their approach, fathers of families surrounded their own

dwellings with *fael*, and perished with their children in the flames kindled by their own hands. If it were not a shame to add to such details any thing like a calculation of pecuniary loss, it might be added, that this last invasion was calculated to have cost, in booty and in wanton waste, scarcely less than a million sterling. No wonder then that the government of India had resolved to avenge and chastise such unparalleled atrocities so soon as the season for taking the field should arrive, even had they not received any previous sanction from England. No wonder that the government at home had not hesitated to revoke its interdicts of war, and to qualify its injunctions of forbearance, upon receipt of details so afflicting to every feeling of human nature.

"It is obvious, from what I have already stated, that a war once excited in India might draw into its vortex many whom fear of our power only kept at peace. With respect to the Pindarries themselves, the difficulty was to find an opportunity of striking a decisive blow. Attacked, routed, scattered in all directions, they would speedily collect and congregate again; as a globule of quicksilver, dispersing for a moment under the pressure of the finger, reunites as soon as that pressure is withdrawn. But the Pindarries had also chances of external support. They had, many of them, been trained to arms in the service of Scindia, the greatest among the the native princes who maintain an independent rule; in the service of Holkar, long the rival of Scindia for preponderance in the Mahratta confederacy; and in that of Meer Khan, a Mahomedan adventurer, who, originally employed as an auxiliary by Holkar, had the address to render himself, for a time, master of the government which he was called in to support, and to carve out for himself, in return for his abdication of that influence, a substantive and independent sovereignty. However contemptible therefore in themselves, when compared with the numerous and well-trained armies of the British government, yet as the fragments of bands that had been led by formidable chieftains to whom they still professed allegiance, these vagrant hordes might be the means of calling into action powers of greater magnitude and resources, Scindia, Holkar, and lastly, Meer Khan, himself essentially a predatory power, and the leader only of more regular and disciplined Pindarries. Nor was this the utmost extent of danger to be apprehended. Suspensions might also be naturally entertained, that the other Mahratta powers were not displeased to see the British authority, against which they had more than once combined with all their forces in vain, weakened in effect and in opinion by the unavenged attack

of such despicable antagonists; and that when the occasion should ripen, they might not be disinclined to revenge and retrieve their former defeats. But whatever might be the extent of immediate hostility to be encountered, or the chances of future danger to be calculated, the case was one which did not admit of doubt. The most beneficial acquisitions of territory would not have justified the incurring either the expense or the hazard of a war; but no hazard and no expense could be put in competition with the vindication of national honour and the discharge of national duty.

"In the endeavour to render intelligible the origin and operations of the war, I fear I may have trespassed much too long with preparatory matter upon the patience of the House. But it will be felt that in offering these explanations, I have incidentally disposed of a question strictly military, which I have mentioned as suggesting itself on the first view of Lord Hastings' undertaking,—how it happened that preparations on so large a scale were necessary for the suppression of a horde of 30,000 horsemen? Bauditti as they were, it will have been shewn that they touched in near relation three powerful independent chiefs of India; friendly indeed by the existing state of peaceful relations, but in character, and habit, and interest, our foes. It will have been shewn, that two of these three chiefs being members of the great Mahratta confederacy, it would not have become a prudent statesman to lay out of his contemplation the possibility, however remote, however in the name of good faith to be disbelieved and deprecated, that the nominal head and the other members of that confederacy, the Peishwa, the Rajah of Nagpore, and the prince known by the title of the Guickwar (whose dominions are situated on the western side of Hindostan) might, if the course of events should be protracted or untoward, forget the obligations of treaties, and make common cause with those whose hostility we more nearly apprehended. In fact, of these last-mentioned Mahratta states, our allies and tributaries, the Guickwar is the only one that did not, in the course of the war, take part with our enemies. The Peishwa and the Rajah of Nagpore, though recently bound to us by the most solemn engagements (and the latter particularly by the most signal benefits) did avail themselves of the earliest opportunity to declare against us: with a treachery which, to Lord Hastings's trusting and generous nature, was unexpected; but which, though unexpected, did not take him unprepared. I now come, sir, to the operations in the field: upon which, extensive and complicated as they were, spread over so wide a theatre and in-

volving so much intricacy of military detail, I do not presume to venture to speak with any particularity; or to offer myself as a guide to the house through a labyrinth, which I have neither skill nor practice to enable me to trace. I shall confine myself to the general course, and character, and results of the campaign. The house has seen, that when the Governor-gen. prepared to take the field against the Pindarries, he looked forward to the possible hostility of Scindia, Holkar, and Meer Khan. With the Peishwa, a prince the most important from the influence of his high rank among the Mahratta states, and with the Rajah of Nagpore, treaties had been recently signed and ratified, under such fair-seeming protestations of good faith and friendship, that, so far as instruments and professions could be binding, the fidelity of these powers seemed assured. The treaties to which I refer are the first and second in the collection upon the table. So effectual were the plans and dispositions of Lord Hastings, that Scindia, the most formidable of his expected enemies, was overawed, and compressed, as it were, into a new treaty which pledged him to active co-operation against the Pindarries. The utmost extent of the stipulations of this treaty cannot be said to have been very diligently fulfilled by him; but so far the object of it was effected, that he at least remained neutral during the campaign. Whether in this respect Scindia acted under the impulse of fear, or was persuaded by arguments addressed to his interest and ambition, the prudence of the Governor-gen. is equally conspicuous: it detracts nothing from military skill to have been aided by political sagacity. As to Meer Khan, the overwhelming force which Lord Hastings brought to bear upon him compelled his immediate acquiescence and submission. He withdrew his troops and surrendered his artillery. It remains to speak of the third power whose hostility was expected, Holkar. With Holkar's government, (the actual chief being a minor) negotiations were for some time carried on, regarding which, the papers on the table contain information somewhat less ample than could be wished; as by some omission, no doubt accidental, various documents relating to these transactions have not yet reached this country. That Lord Hastings had been in negotiation with the regent, the mother of the young rajah, and that great hopes were indulged of a favourable issue, is clear: but how these hopes were disappointed does not appear in the documents before the house. I am, however, enabled to add to what appears in the papers, one fact, the particulars of which have only come to my knowledge within a few days. A

short time before the great and decisive battle with the forces of Holkar, one of the refractory and disaffected chieftains in his council took this summary method of over-ruling the policy of the regent: he entered her tent at night, dragged her out by her hair, and severing her head from her body, cast both into the river. Of the change thus suddenly wrought in Holkar's counsels, the first indication was, an attack by the army of Holkar on the troops composing the advanced guard of Sir Thomas Hislop. This brings me to the battle of Maheidpore, the only great general action which occurred in the course of the campaign. Of this battle I feel myself incompetent, even if it were necessary, to enter into the military details; the gazettes furnish a more perspicuous account of it than I could pretend to offer. But I may be permitted to say, that more determined gallantry, more inflexible perseverance, or greater exertion of mind and body on the part of every individual engaged, were never displayed than in the battle of Maheidpore. The result was, the defeat and dissolution of the army of the enemy, though not without a loss on our side deeply to be deplored. This victory recommends to the gratitude of the house the name of Sir Thos. Hislop, by whose conduct and under whose auspices it was won; and that of Sir John Malcolm, second in command on that occasion, second to none in renown, whose name will be remembered in India as long as the British tongue is spoken, or the British flag hoisted throughout that vast territory. The result of this battle, as it was the complete dissolution of the army of Holkar, so was it that of the confederacy among the Mahratta powers, which had long been secretly formed, and which an unprosperous, or even a doubtful issue of our first action in the field, would unquestionably have brought into full play. A treaty of peace was forthwith negotiated with Holkar, by which were ceded to us all his possessions on the south side of the river Nerbudda: and the remainder of the campaign, so far as this member of the hostile confederacy was concerned, consisted in collecting for the British government the scattered fragments of his dismembered chieftainship. While the campaign was proceeding thus successfully against those whom Lord Hastings had taken into account as probable enemies, their number was unexpectedly increased by the addition of the Peishwah, the executive head of the Mahratta empire, who suddenly broke the ties which bound him (as has been seen) in the strictest amity to the British government. Even Sir John Malcolm, better qualified perhaps than any other person to fathom the designs

and estimate the sincerity of the Native powers, had been so far imposed upon, in an interview with that prince at Poonah, as to express to Lord Hastings his perfect conviction that the friendly professions of the Peishwah deserved entire confidence. In the midst of this unsuspecting tranquillity, at a moment now known to have been concerted with the other Mahratta chieftains, the Peishwah manifested his real intentions by an unprovoked attack upon the residency (the house of the British resident) at Poonah. Mr. Elphinstone (a name distinguished in the literature as well as in the politics of the east), exhibited, on that trying occasion, military courage and skill which, though valuable accessories to diplomatic talents, we are not entitled to require as necessary qualifications for civil employment. On that, and not on that occasion only, but on many others in the course of this singular campaign, Mr. Elphinstone displayed talents and resources which would have rendered him no mean general, in a country where generals are of no mean excellence and reputation.

“ The gallant resistance of Lieut.col. Burr, at the head of the small force cantoned in the vicinity of Poonah, to the concentrated army of the Peishwah, and the brilliant and decisive victory subsequently gained over that army by Brig.gen. Smith, stand recorded in the gazette, memorable instances of British valour. Nor less memorable is the instance of British moderation displayed by Gen. Smith after his victory, in sparing the then hostile capital of a treacherous enemy, which lay at the mercy of the conquerors. It may be convenient to despatch in continuity what remains to be stated respecting the Peishwah, though anticipating for that purpose events and the order of time. It was the task of Gen. Smith to pursue that fugitive prince, through all the windings and doublings of a warfare which shifted its ground a thousand times; to overthrow his collected force a second time in a pitched battle; and in that battle to rescue from his power the Rajah of Sattarah, descendant of the ancient sovereigns, and by just title, the real head of the Mahratta empire. Of that empire the Peishwah was originally the first executive minister. As happens frequently in oriental sovereignties, the legitimate monarchy had for some time sunk into a mere name; and in that name the Peishwahs had now for six generations exercised the supreme authority, keeping, during the same period, the successive hereditary sovereigns in confinement. To seize the person of the Rajah of Sattarah, in the fort of that name in which he had long been immured, was the first object of the Peishwah in his flight from Poonah; lest, falling into the hands of the British, the

restitution of that sovereign to his state should lead to the final extinction of the Peishwah's office and power. To defeat this precaution was the effect of Gen. Smith's victories; and it was no small reward of his exertions to be the instrument of such a restoration. Amid the rapid revolutions and fluctuating dynasties of the East, it is not always that European policy can satisfy itself as to the correctness of the course which circumstances or engagements may compel it to pursue or to sanction. But it is no unsatisfactory consequence of a faithless and unprovoked attack upon the British power, that a lawful sovereign has been replaced on the throne of his ancestors, by the same British army which drove a perfidious aggressor from his capital, and finally reduced him from a wanderer to a captive. What has been stated of the unexpected hostility of the Peishwah, applies, in its general outline and with change only of names and places, to the Rajah of Berar. At Nagpore, as at Poonah, an attack was suddenly made on the British residency; while the attention of the Governor-gen. was supposed to be exclusively occupied with the Pindarry war. A similar resistance was successfully opposed to this attack by the resident, Mr. Jenkins; who affords another instance of the happy union of military qualifications with diplomatic skill, and whose courage and constancy had been heretofore displayed under very trying circumstances, when, after the former Mahratta war, he held the office of resident at the court of Scindia. The few troops stationed at Nagpore, under Lieut.col. Scott, made a gallant stand against the superior numbers of the enemy (a superiority sufficient to surround and overpower the British force, even if the attack had been foreseen), instances of individual heroism displayed on this occasion are deservedly recorded in our military annals. It remained for the skill and valour of Brig.gen. Doveton to follow up the advantages thus obtained, and to complete the overthrow of a power which had acted with such perfidious violence. The hostility of Nagpore was a still greater surprise than that of Poonah. The result in both cases was the same. The Peishwah is consigned to a secure though mitigated captivity; the Rajah of Berar continues still a fugitive, but so reduced and deserted, that although I cannot aver that a renewal of hostilities by him, is altogether impossible, I trust that they cannot be renewed in a shape likely to give the Governor-gen. much trouble or uneasiness. Neither had these distant and unforeseen occurrences the effect, which was probably anticipated by the Mahrattas, of calling off the attention of the Bengal government from the original object of their military preparations—the

Pindarries. Within three months after the opening of the campaign, this formidable horde had ceased to exist as a body. Surrounded, and driven, as if into a net, between the converging forces of the British presidencies, repelled on one side from the frontiers of the Company's territories, and pressed on the other against the frontiers of Scindia and Holkar, (Scindia's territory being closed against them by that chieftain's treaty of co-operation, and Holkar's by the treaty of peace which followed the battle of Mahaidpore); cut off from their accustomed retreat across the Nerbudda, into the territories of Poonah or Nagpore; and unable, as is their nature, to make head against a regular army in the field; they gradually melted away, dispersed, concealed, or surrendered themselves; their families, their treasured plunder, their fortresses, fell into our hands; and that association of freebooters may, I hope, be said to be extirpated, not indeed in their persons, but in purpose and in name. Of such complicated hostilities, covering an extent of country before which the dimensions of an European campaign shrink in comparison, it is, as I have said, quite impossible for me to attempt anything like a detailed exposition. Among feats of prowess and deeds of gallantry performed contemporaneously in scenes of action far removed from each other but conducing alike to one great end, I feel totally unable to thread the mazes of victory, and to select instances for minute specification and particular praise, either with justice to the British troops or with satisfaction to my own sense of their merits. The names of the leaders and of the actors in these distinguished scenes must be fresh in the recollection of those who have perused the reports of the campaign; and I fear that if I were to attempt a catalogue, I might, from inadvertence (though not from partiality) leave many well deserving of praise unnamed. In every instance the valour of the British troops has been eminently conspicuous. And when I say, of the British troops, let me guard the house against any such erroneous impression, as that the contest was one between tried and valiant British soldiers on the one side, and feeble and unwarlike natives on the other. Let it not be considered as an unequal conflict of European valour with untaught Indian courage; for, out of about 90,000 troops, whom Lord Hastings brought into the field, 10,000 only, or thereabouts, were British: the remainder were the native forces of the East-India Company; trained, it is true, by European officers, and proving by their obedience, their courage, their perseverance, their endurance, that in discipline and in achievements they were capable of rivalling their British instructors.

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In doing justice to the bravery of the native troops, I must not overlook another virtue, their fidelity. Many of the Bombay army had been recruited in the territories of the Peishwah; their property, their friends, their relatives, all that was valuable and dear to them, were still in that prince's power. Previously to the commencement of hostilities the Peishwah had spared no pains to seduce and corrupt these troops, he abstained from no threats to force them from their allegiance: but his utmost arts were vain. The native officers and soldiers came to their British commanders with the proofs of these temptations in their hands, and renewed the pledges of their attachment. One man, a non-commissioned officer, brought to his captain the sum of 5,000 rupees, which had been presented to him by the Peishwah in person, as an earnest of reward for desertion.* The vengeance denounced by the Peishwah was not an unmeaning menace. It did, in many instances, fall heavily on the relatives of those who resisted his threats and his entreaties; but the effect was rather to exasperate than to repress their ardour in the service to which they had sworn to adhere. This combined courage and attachment were never more conspicuous than on one occasion, which I will take the liberty to particularize, for the purpose of paying a just tribute, as well to the native troops as to the talents of an officer commanding them. It is an instance which I may select without invidiousness, as the rank of the officer does not allow of his name being mentioned in a vote of thanks. A body of between 800 and 900 men, all natives, except the artillery (the proportion of which to a force of this strength many gentlemen present can estimate more correctly than myself), was on its march from a distant part of the Peishwah's territories to Poonah, soon after the denunciation of hostilities, and unexpectedly found itself in presence of the whole Mahratta army. What was the exact amount of the Peishwah's force I am not able to state with precision, but the cavalry alone was not less than 20,000. The small band which I have described, hemmed in on all sides by this overwhelming superiority of numbers, maintained through a long day an obstinate and victorious resistance; victorious, for they repelled on every point the furious attacks of the enemy. The chief suffering of which they complained during this singular and most unequal contest, was the intolerable thirst which they could not procure the means of slaking until the action was over. In the end they not only

* The name of this man, *Sheick Houssein*, however unmusical to European ears, deserves to be recorded.

secured an unmolested retreat, but they carried off their wounded! In such a waste and wilderness of space and of glories, distracting the sight and perplexing the judgment, it is satisfactory thus to select some small insulated field of action, which one can comprehend at a single glance, and of which (as of some green and sunny spot in a far-stretching and diversified landscape) one can catch and delineate all the characteristic features. From this one small achievement, small as to extent but mighty with reference to the qualities displayed in it; the spirit which pervaded and animated the whole Indian army may be inferred. The officer who commanded this gallant little force was Capt. Staunton: his rank does not entitle him to be recorded in our votes, but the house will be glad to learn that his merits and services have not been overlooked by his immediate employers the Court of Directors. To sum up the military results of the whole campaign in a few words:—Within the short period of six months, between November and June, eight and twenty actions were fought in the field; differing from each other in magnitude, but all exhibiting in unvaried splendour the character of our Indian army. One hundred and twenty forts, many of them scarcely accessible, some deemed impregnable either by force or skill, fell to that army by surrender, by siege, or by storm. To give some notion of the extent of country over which these actions were distributed, the distance between the most northern and most southern of the captured fortresses is not less than seven hundred miles. At the southern extremity of this long line of operations, and in a part of the campaign carried on in a district far from public gaze and without the opportunities of early and especial notice, was employed a man, whose name I should indeed have been sorry to have passed over in silence. I allude to Col. Thos. Munro; a gentleman of whose rare qualifications the late House of Commons had opportunities of judging when he was examined at their bar on the renewal of the East-India Company's charter; and than whom Europe never produced a more accomplished statesman, nor India, fertile as it is in heroes, a more skilful soldier. This gentleman, whose occupations for some years past have been rather of a civil and administrative than a military nature, was called, early in the war, to exercise abilities which, though dormant, had not rusted from disuse. He went into the field with not more than five or six hundred men, of whom a very small proportion were Europeans; and marched into the Mahratta territories to take possession of the country which had been ceded to us by the treaty of Poonah. The population

which he subdued by arms, he managed with such address, equity, and wisdom, that he established an empire over their hearts and feelings. Nine forts were surrendered to him or taken by assault on his way; and at the end of a silent and scarcely observed progress, he emerged from a territory heretofore hostile to the British interest, with an accession instead of a diminution of force, leaving every thing secure and tranquil behind him. This result speaks more than could be told by any minute and extended commentary. This, however, Sir, (in order that I may keep my word with the house) is the last episode in which I shall indulge. It remains only to describe briefly the general state in which our affairs were placed at the end of the campaign. The Peishwah and the Rajah of Nagpore I have already traced from their unprovoked hostilities to their merited chastisement. The Pindarries, the original cause and object of the war, are gone. Of the powers which had a natural interest to side with the Pindarries, Meer Khan is reduced to his original comparative insignificance; Holkar has paid the penalty of his hostility by the sacrifice of a large portion of his dominions; and the most formidable and most important of all, Scindia, having been prevented by wise management from taking that course which would justly have placed him amongst the victims of our vengeance, remains, and long may he remain, an independant sovereign. Long may he remain so!—because, anxious as I am for the prosperity and grandeur of our Indian empire, I confess I look at its indefinite extension with awe. I earnestly wish that it may be possible for us to remain stationary where we are; and that what still exists of substantive and independant power in India, may stand untouched and unimpaired. But this consummation, however much it may be desired, depends (as I have said) not on ourselves alone. Agression must be repelled, and perfidy must be visited with its just reward. And while I join with the thinking part of the country in deprecating advance, who shall say that there is safety for such a power as ours in retrogradation? In one view, the accession of territory, by the various operations of which I have attempted to give some outline, is as important as the war was justifiable and necessary. In the beginning of this war the frontier to be guarded was in extent not less than two thousand five hundred miles. In consequence of our late successes, and of the tributary alliances which have grown out of them, that frontier is indeed much advanced; but in proportion as it is advanced it is also narrowed, so that the line towards the Indus does not now present more than one-third of the extent of

the former external boundary. I have thus, Sir, endeavoured to bring before the house a review of the late campaign; and imperfect as I am aware that review must necessarily be, I do not know that I have omitted any material part of the grounds on which I found my call upon the house for a vote of thanks to the Marq. of Hastings. I have said enough to shew the providence with which he called forth, and the skill with which he arrayed, the forces of the great empire committed to his charge; the wisdom with which he laid his plans, and the vigour with which he carried them into execution. I conclude with proposing the vote to Lord Hastings as the commander under whose auspices these successes have been achieved; but I think it due to him as a statesman, at the same time, to assure the house that his most anxious wish is to improve by the arts of peace the provinces acquired in war; extending the protection of British justice to every part of our widely-spread dominions, but leaving as he may find them the harmless prejudices of nations, and conforming our government to native habits and institutions, wherever those habits and institutions are not at variance with equity and reason; convinced that the British rule will be stable throughout India, in proportion as it is beneficent and beloved. [Mr. Canning here read the vote of thanks to the Marquis of Hastings].

It is necessary that I should preface the second resolution with a few remarks on a circumstance in the conduct of a gallant general who has greatly signalized himself in this campaign. I mentioned, in the earlier part of my speech, that one of the first results of Sir Thos. Hislop's victory over Holkar was an order issued by that chief, and intrusted to Sir Thos. Hislop, for the surrender of certain fortresses to the south of the river Nerbudda. Amongst the fortresses so ordered to be surrendered to Sir Thos. Hislop, was that of Talneir. At that place an event occurred which is related in the papers before the house, and the particulars of which it is not necessary for me to repeat. In those papers the house is possessed of all the information which the East-India Company or the government have received on this subject. With that information neither the East India Company nor the government are satisfied. The only course which, under these circumstances, could be adopted, was to send instructions to the government of India to transmit to England the most ample information, and to institute, if necessary, the most minute inquiry. I am very far from admitting, that because there has been an omission in sending home satisfactory documents, we are therefore to conclude that the transaction is not justifiable. The in-

ference must be the other way: First, from the character of a British officer; secondly, from the individual character of *this* officer, whom (though I am not myself acquainted with him), I understand to be eminently entitled to praise, not more for his professional talents, than for his abhorrence of every thing cruel or severe. We have further, in support of this inference, two separate approvals of his conduct by the Marquis of Hastings, conveyed in the most unqualified terms. It is impossible to imagine any interest or affection that could have induced Lord Hastings to slur over a transaction, which in his conscience he thought deserving of blame. I say this the more confidently, because instances have occurred in the course of this campaign which prove that, however anxious Lord Hastings is to bestow praise where praise is merited, he knows his duty too well to withhold blame from those who have justly incurred it. Those instances it would be unfair to mention; but I can assure the house that such are in my possession. When the despatch which contains the account of the capture of Talneir was transmitted in the military department of the official correspondence, it came unaccompanied with any civil details whatever. I felt some reluctance in making the bare military statement public; but I thought the plain course to pursue was, to deal with this despatch as other despatches of a military nature had been dealt with; looking forward confidently to the arrival of the details which were wanting to give the transaction its true colour. Those gentlemen who take an interest in Indian affairs must know how uncertain correspondence is with that part of the world. There have been, there still are, great chasms in the correspondence respecting the late campaign. In last Saturday's Gazette is an account of occurrences which took place not less than a year and a half ago: it is not the fault of the government that the intelligence of them did not arrive sooner. And here it may possibly be expedient for me to state, by the way, why despatches, of which the general interest is gone by, are nevertheless inserted in the Gazette. The reason, sir, is this: from the intense and laudable eagerness with which military honours are sought for, it is necessary that those services by which such honours may be merited should be publicly recorded. Public record being made, and wisely, an indispensable condition of the grant of those honours, it would be hard to run the risk of invalidating any officer's title to them hereafter, by keeping back altogether the notification of services, the official report of which might have happened to be delayed. To return to Sir Thos. Hislop: his despatch

arrived in August; the approbation of the Marquis of Hastings, though dated only a fortnight after that despatch, did not arrive till the 27th Nov. The details of a complete justification may be now on their way. In this imperfect state of evidence three modes of proceeding presented themselves to government. The first was, to withhold remuneration altogether from the services of the Indian army till this point should be cleared up: but no man who knows the spirit and temper of armies in general, and the composition of the Indian army in particular, would recommend a course so ungrateful and ungracious. The next was to grant to other deservors the proper honorary rewards, omitting the name of the commander under whom the most considerable victory had been gained, the name of him in whose praise the letters from India were lavish; but such an exception would have placed on his character a stamp of obliquity too deep to be effaced by any subsequent atonement. The last course was, to include him with the body of officers to whom military honours were due; still, however, expecting and requiring, at a future period, a satisfactory explanation of this particular part of his conduct. If the house shall be of opinion that the executive government have not judged amiss in the choice which they have made between these three modes of proceeding, the house will, perhaps, so far countenance and concur with their decision as to vote its thanks for military service to Lieut.-gen Sir Thos. Hislop, in common with his brave compeers in glory; and to be contented with entering, at the same time, a special record of its own suspended judgment on this particular transaction. I admit the reasonableness of such a record, on the grounds which I have stated; though I feel that, standing in my situation, it would hardly be becoming in me to propose what that record shall be. To join it with the vote of thanks itself, when every end can be obtained by a separate resolution, would be as harsh as unnecessary: unnecessary, since the suspension of the judgment of the house may be sufficiently marked without such a junction; and harsh, because the vote of thanks will be placed on the regimental books, and read in front of every military line in India. This, I am ready to confess, would not be too severe a course, if the transaction were finally to be imprinted with a character, such as, I trust, it never can assume: but what would be the feelings of Sir Thomas Hislop and of his comrades, if such a censure were sent forth, in ignorance here, to be read before an audience in India who might well know that it had not been deserved? I trust, then, that the house will allow the name of Sir

Thomas Hislop to stand in my second resolution of thanks, without any phrase of qualification; and in return, if any gentlemen shall propose a separate resolution of the description which I have ventured to suggest, I shall think that by assenting to such resolution I best discharge my duty to the house, to the Indian army, and to Sir Thomas Hislop himself.

The Speaker then put the question, "That the thanks of this house be given to General the Marquis of Hastings, K.G. and K.G.C. and Governor-general of the British possessions in the East-Indies, for the promptitude and vigilance displayed by him in the overthrow and suppression of the Pindarries, and for adopting those skilful and decisive measures which enabled him to overthrow the Mahratta princes in a campaign marked by the most signal and brilliant successes."

Lord Morpeth then rose: he entirely concurred with what had fallen from the rt. hon. gent. opposite, in the able and eloquent speech which he had just concluded. He certainly thought that our signal successes in India were owing to the consummate skill displayed by the governor general throughout the campaign. His ignorance in these affairs prevented him from specifying any particular measure as the most entitled to applause; but so far as he could judge, he thought the Mahratta princes had been defeated by the noble Marquis's having collected such a force in their rear as left them no power of resistance. He thought that the Indian or native part of that army, whose operations had been so warmly extolled, had vied with British soldiers in coolness and deliberation. (*Hear!*) But there was one circumstance, in regard to many of our officers in India, which had always struck him with peculiar force. To all the qualifications of soldiers, they united all the accomplishments of scholars. (*Hear!*) This was exemplified by their scientific labours; they had performed the measurement of mountains, for the purpose of discovering the difference in altitude between those of the old continent and their competitors in the new; they had traced the course of the Ganges and the Indus, amid the fatigues of war. Many of these very officers had been the companions of the early victories of Sir Arthur Wellesley, and maintain their former glory. The right hon. gentleman had very candidly put the question relative to Sir T. Hislop to the feeling and liberality of the house. He thought that much of what we complained of in the Mahratta princes was owing to the system we acted upon in regard to them; the subsidiary system, as it was called, which was to keep them in a sort of honourable dependence. Thus we had lately acted in regard to the Peishwa, in whose hands

we placed a barren sceptre. He must enter his protest, not only against this system, but generally against that of extended alliances with petty and predatory states. With respect to the Pindarries, he was by no means so well satisfied as the right hon. gentleman. They were notorious for the perfidy of an organised banditti, and for their cruelties, which were unprovoked; they richly deserved measures of retributive vengeance, and he was glad the visitation had fallen on them; but he was fearful that, although dislodged from their previous haunts, they are not destroyed. He could not help thinking, that though their durrahs were said to be routed, that they were only disturbed, and that they were concealed in various lurking places. He would adduce the opinion of that most excellent officer Sir J. Malcolm, who considered that the Pindarries were not more addicted to plunder than all the other hordes of mountain cavalry in India. He would not affirm it positively, but it would seem that their habits of predatory warfare being those of the country, were neither likely to be relinquished nor forgotten, and were at all times easy to be resumed. He would not oppose the vote of thanks, but he begged to press upon the house one point most material for its consideration. He perfectly agreed with the right hon. gentleman in thinking that the house was bound by its dignity to have some further accounts of the proceedings at the fort of Talner laid before it, prior to its giving any decided opinion respecting the conduct of that gallant general. Sir T. Hislop appeared to have considered himself as acting against those who were rebels to Holkar; if so, he should have left them to be tried by Holkar himself, or by authorities deputed by Holkar. Under these circumstances, as connected with what had been the result of that officer's proceedings, he felt it his duty to move this resolution:—"That this house, in resolving to give its thanks to Sir Thomas Hislop for his services in India, does not mean to express any opinion as to the expulsion of the Killedar from the fort of Talner, of which circumstance it is not yet in possession of sufficient information to form a judgment."

This inquiry, the noble lord urged, should be immediately instituted, as due to the native powers of India, our own character, and the principles of justice and honour.

Mr. Howorth observed, that the present state of his health would not admit of his taking part in the discussion of the question now before the house, but that he could not refrain from expressing that tribute of admiration so justly due to the right hon. president, for his clear, candid, intelligent, and intelligible statement

of so complicated a subject. There were however two points on which he materially differed from the right hon. president; the one was that assertion where it was stated that the Pindarries were the cause of the war, when in truth and in fact it would be found that the Pindarries were merely the pretext for the war, and that its origin was to be found elsewhere. The other point on which he differed was, the assertion that the treaties recently made with the Peishwa and the Rajah had lulled the Marquis of Hastings into an unsuspecting security, when in fact it would be found that those very treaties were the immediate causes of the hostilities which broke out with those powers. He notwithstanding concurred with the noble lord who had just sat down (Lord Morpeth), in the proposed vote of thanks to the Marquis of Hastings, as far as the same related to military plans and executions. There did not, he believed, exist a doubt in any man's mind that the noble marquis's skill in arrangement, and precaution in previous preparation, were extremely creditable to his talents, and entitled to every approbation that such conduct would fairly lay claim to. Of the military operations, every man must admit that they have been executed with that brilliant display of valourous achievement which has on all occasions so peculiarly distinguished our Indian army. He concluded with asking, whether it was consistent with the dignity of parliament to suffer its own laws to be repeatedly violated without investigation? whether it should suffer those wise and salutary regulations, which the wisdom of the legislature had enacted and laid down for the good government of India, to be again and again contravened, without instituting some enquiry into the causes of that contravention? It surely ought not to be left to the historian to record, that a revolution of such vast scope and magnitude, as that now effected by our government in India, the subjugation of the whole empire of Hindostan, the usurpation and confiscation of immense tracts of territory, affecting the lives and properties of millions of population, had not only passed almost unnoticed, but its causes wholly uninvestigated into by the British parliament.

General Grosvenor spoke in terms of praise of the conduct of Generals Smith and Milnes, who had signalized themselves at Poonah. There were also two other officers connected with the 65th regiment, who deserved high commendation.

Sir R. Wilson would not enter into a discussion of the policy or impolicy, the justice or injustice of the war. Within a century a simple factory had been erected into a widely-extended empire. He concurred with the rt. hon. gentleman in ex-

pressing his approbation of the meritorious conduct of the officers and army. With respect to the vote of thanks to the Commander-in-chief, there was no difference of opinion; he eulogized his military skill and his statesman-like conciliation in the hour of conquest. His laurels would never fade; for the gratitude of the unfortunate whom he relieved, and the benefits that followed his achievements would ever refresh and renew them. He (Sir R. Wilson) had experienced the gratification of serving with officers of the Indian army, and in intelligence, gallantry, and general meritorious conduct, no men excelled them. He hoped that the course which the house would adopt would be such as not to prejudice the actions of any individual.

Sir J. Mackintosh said it was impossible to have comprehended such a series of achievements in a more concise compass than the rt.hon. gentleman (Mr. Canning) did in his eloquent and luminous speech; still he hoped that the house would indulge him with attention while he offered a few observations. His having resided in India conferred some opportunities of estimating the talents of a few of the officers who had distinguished themselves, and for high and varied acquirements they had no superiors. With respect to the Marquis of Hastings, having had the honour of his intimate acquaintance, he felt that it was impossible to value too highly his capacity as a general and a statesman.—(*Hear, hear!*)—To these qualities he added all those traits which proved him a most amiable and generous man. (*Hear, hear!*) Of Sir J. Malcolm he could say, that though bred a soldier, he had in the progress of his active life displayed a character fitted for the highest duties of civil trust. Of Mr. Elphinstone he could say also, that though educated a civilian, he had in early life, at the memorable battle of Assaye, proved himself a hero, as in the recent war he had shewn himself a skilful general. To the accomplishments of gentlemen, both these illustrious persons united an intimate knowledge of the language, laws, and institutions of that country. He was doubtful if, in modern warfare, the exploit of Capt. Staunton, as related by the rt.hon. gentleman, was not unequalled. He agreed that the rt.hon. member in his speech had discharged the duty due to the character of the absent officer, who, as far as he heard the presumptions of different individuals, would be enabled to explain and justify his conduct: from his heart he wished it.—(*Hear, hear!*)—God forbid he should not. While he held a judicial situation in that country, he felt that the sacred connexion which bound him to the people required that he should exert himself in securing to them peace, tranquillity, and the en-

joyment of liberty; and he now felt himself under an inviolable obligation to support the usages of civilized war, which were the more valuable in their preservation, as they went to bind and limit the greatest of all possible evils.—(*Hear, hear!*)

Sir W. Burroughs denied that any of the wars in India for the last twenty-seven years, were wars of aggression. From what he, when on the spot, knew of the judicious and prompt measures the Marq. of Hastings was adopting to repel unprovoked aggression, he had been enabled to foretell the fortune and brilliant issue of the war. He had witnessed the zeal and energy of the army. The motion for the vote of thanks had his most cordial support. One observation more he would offer, which would contribute as much towards answering the observations of an hon. member (Sir R. Wilson) as a volume. A small number of foreigners ruled in that country over a population of seventy millions. The Romans ruled Gaul by legions levied in the East; they governed Egypt by legions collected in Gaul; but in India, the states were governed by an army chiefly collected among the inhabitants. Their fidelity had been noticed by the right hon. gentlemen. They were mildly governed, moderately taxed, and they were attached to their rulers, which was the best proof of good government. He knew from experience that the subjects of many of the states independent of British India sold their lands and came to settle among the dependents of the Company, from whom they were certain to receive protection.

The resolution of thanks to the Marq. of Hastings was then read, and passed unanimously.

Mr. Canning, in proposing the second resolution of thanks to the officers, stated, that although it was unusual, when a vote of thanks was proposed to an European army specially to mention the names of the Brig.gens. he would, in consequence of the difference between an Indian and European army, recapitulate the names of all the officers holding the rank of Brig.gens., for officers of that rank held very important and extensive commands.

The resolution of thanks to Generals Sir T. Hislop, Dyson, Shaw, Rae, Doveton, Malcolm, &c. and to all the officers who had so gloriously signalled themselves in the campaign in India, was then read and agreed to.

The motion was agreed to with one dissenting voice.

Mr. Canning subsequently moved resolutions which were agreed to; one expressive of approbation of the conduct of the non-commissioned officers and privates, native as well as European; and the other,

desiring the speaker to transmit the above to the Marq. of Hastings, with a request that he would communicate it to the troops.

Lord Morpeth then moved the following resolution :—" that this house, in the resolution giving thanks to Lieut. gen. Sir T. Hislop for his military services, do not intend to express any opinion respecting the execution of the Killedar of Talmier, of the particulars of which they are not yet in possession of satisfactory information."

Mr. Forbes observed, that he had lately seen a document put forth by the gallant General's friends, as an explanation of the transaction in question, which so far from satisfying his mind, had produced quite a contrary effect. The hon. member

was proceeding to read this document, when he was interrupted by cries of no ! no !

Mr. Fazakerley spoke to order. He was persuaded that if the hon. gentleman were to consider for a moment, he would be the last man in the world to do any thing calculated to create an unfair prejudice.

Mr. Forbes would be sorry to say any thing of an unfair tendency, but he could not conscientiously abstain from stating what he had done.

The motion was then agreed to.

[*The remainder of the debates in the House of Commons, between the sitting just concluded and the latest of the current month in our next.*]

LITERARY AND PHILOSOPHICAL INTELLIGENCE.

BOMBAY LITERARY SOCIETY.

At the meeting of the Literary Society on Tuesday, the 29th of Sept., three papers were presented from different members. The first is some account of Cutch by Capt. Macmurdo. Little has been hitherto known respecting this district ; and Capt. Macmurdo's paper, at the same time that it fills up a blank in the geography of India, and connects the survey of Guzerat with the branches of the Indus, gives a very lively description of the peculiar manners and customs of the people, and adverts to some interesting points in the natural history of the country. Infanticide, we are sorry to say, prevails in Cutch to a great extent, and the number of female children who are annually murdered from this abominable practice, Capt. Macmurdo supposes cannot be less than one thousand ; it is to be hoped that the benevolent interference of the British government will be attended with the same success there which has so happily crowned its efforts in Guzerat. The paper is a valuable addition to our stock of Indian knowledge ; we are particularly glad to observe in it, as well as in one lately presented by Capt. Dangerfield, some attempts to illustrate the department of natural history ; a subject as yet but very little explored in this country.—The second paper contains some observations by Capt. Vans Kennedy, on the history and failure of the scheme of an universal religion attempted to be introduced by Acbar. The paper is written with great perspicuity, and affords some translations from native accounts of the religious disputations held by Acbar's order, and in his

presence, between the learned of the several sects.—The last paper is an account by Capt. Elwood of the caste of Niahas, a singular race of people, who derive their origin from five brothers who fled to the Concan from the neighbourhood of Oudipoor.

MADRAS LITERARY SOCIETY.

The first meeting of the Literary Society of this Presidency was held on Tuesday the 8th of Sept., at the rooms on the Mount Road ; the hon. Sir John Newbolt, president, in the chair.

The president having congratulated the members of the society on the success which had attended their first endeavours to collect a library, proceeded to deliver an interesting address, in which he took a rapid and masterly sketch of the manner in which oaths are administered in different countries, particularly in India. The subject had been suggested by his professional pursuits. He concluded with expressing a hope, that his observations might prepare the way for further research into a matter, not only very curious in itself, but of vital importance to the interests of public justice.—The president presented to the meeting, as connected with the subject of his discourse, a paper which had been drawn up, in the English language, by Mohummud Teepoo, the Mohummudan interpreter of the supreme court, on the opious entertained respecting oaths by the best commentators on the Mohummudan law. The paper was read to the meeting, and, both in the order of its arrangement and in the style of the composition, it reflected great

credit on the talents of the writer.—A paper was read to the meeting by Sir Geo. Cooper, containing some highly curious and interesting observations on the articles of Indian merchandize enumerated in a rescript in Justinian's digest of the Roman law.—The acting secretary presented to the meeting, on the part of Mr. B. Babington, a paper communicated by a gentleman who has lately visited Palestine, containing an elegant and striking description of the ruins of Jerash, a city of the ancient Decapolis.

His Exc. Sir T. Hislop, Col. Conway, J. M'Kerrell, W. M'Taggart, and C. M. Whish, Esqs. were elected members of the institution.—A resolution afterwards passed for requesting Sir T. Hislop to accept the office of a vice-president.—The following are the names of the subscribers who attended:—the Hon. Sir J. Newbolt, R. Alexander, Esq., the Hon. Sir Geo. Cooper, the venerable Archdeacon Mousley, Dr. Annesly, R. Anderson, Esq., H. Byrne, Esq., R. Clarke, Esq., A. D. Campbell, Esq., J. Carruthers, Esq., C. H. Clay, Esq., F. W. Ellis, Esq., E. Greenway, Esq., J. Gwatkin, Esq., J. Hodgson, Esq., Major De Havilland, Dr. Harris, G. Hadlow, Esq., W. Horsman, Esq., Dr. Jebb, Major M'Donald, Major M'Donnall, Lieut. Proby, J. W. Russell, Esq., J. Stavelly, Esq., A. Stewart, Esq., E. R. Sullivan, Esq., W. Wayte, Esq., J. D. White, Esq., E. Wood, Esq.

ARCTIC DISCOVERIES.

March 20.—The London Gazette of Saturday announces the Prince Regent's approbation of the following scale of rewards, proposed in a memorial from the Board of Longitude, taken into consideration by his Royal Highness in Council on the 19th inst. *viz.*—1. To the first ship belonging to any of His Majesty's subjects, or to his Majesty, that shall reach the longitude of 110 deg. west from Greenwich, or the mouth of Hearne's or Coppermine River, by sailing within the arctic circle, £5,000: to the first ship, as aforesaid, that shall reach the longitude of 130 deg. west from Greenwich, or the Whale Island of Mackenzie, by sailing within the arctic circle, £10,000; to the first ship, as aforesaid, that shall reach the longitude of 150 deg. west from Greenwich, by sailing westwards within the arctic circle, £15,000; the act having already allotted to the first ship that shall reach the Pacific Ocean by a north-west passage, the full reward of £20,000.—2. To the first ship, as aforesaid, that shall reach to 83 deg. of north latitude, £1,000; to 85 deg. £2,000; to 87 deg. £3,000; to 88 deg. £4,000; the act having already allotted to the first ship that shall reach to, or beyond 80 deg., the full reward of £5,000.

ALI BEY.

The Spahlar who travelled in the Mahometan countries under the name of Ali Bey, died lately, not far from Damascus, whilst on a journey with a caravan to Mecca, in the character of a pilgrim. His effects, including his manuscripts, were seized by the Pacha, by virtue of his title to inherit the property of pilgrims dying within his jurisdiction.

NEW LONDON PUBLICATIONS.

The Edinburgh Review, No. 61. Price 6s.

Transactions of the Literary Society of Bombay; with Engravings, Appendix and a List of the Members. 4to. £2. 12s. 6d.

Elmhirst's Calabria Ulteriore. Occurrences during Six Months' Residence in the Province of Calabria Ulteriore, in the Kingdom of Naples, in the years 1809 and 1810. By Lieut. P. J. Elmhirst. 8vo. 6s.

The British Review, No. 25. Price 6s.

Notes on a Visit made to some of the Prisons in Scotland and the North of England, in company with Eliz. Fry; with some General Observations on the subject of Prison Discipline. By Jos. John Gurney. 12mo. 3s. 6d. bds.

Human Life a Poem by S. Rogers, Esq.

Specimens of British Poets, with Biographical and Critical Notices, and an Essay on English Poetry. By Thos. Campbell, Esq. 7 vols. Crown 8vo. £3. 13s. 6d.

The Quarterly Review, No. 38. Price 6s.

Kalila and Dimna, or the Fables of Pilpai. Translated from the Arabic by the Rev. Wyndham Knatchbull, A.M. 14s.

Warren's United States of America. 3 vols. 8vo. £2. 2s.

Travels in various Countries of Europe, Asia, and Africa. By Edw. Daniel Clarke, LL.D. Vol. 5. 4to. £4. 14s. 6d.

Memoirs of Jas. Hardy Vaux, written by Himself. 2 vols. 12mo. 10s.

Tom Crib's Memorial to Congress; with a Preface, Notes, and Appendix. By One of the Fancy. foolscap 8vo. 5s. 6d.

Journey from Moscow to Constantinople, in the years 1817 and 1818. By Wm. Macmichael, M.D. F.R.S. 4to. £1. 11s. 6d.

Mission from Cape Coast Castle to Ashantee, with a Statistical Account of that Kingdom, and Geographical Notices of other Parts of the Interior of Africa. By T. E. Bowdich Esq. 4to. £3. 3s.

The London Commercial Dictionary and Sea Port Gazetteer, exhibiting a View of the Commerce and Manufacture of all the trading Nations of the World; with Tables of Import and Export Duties, Drawbacks, Bounties, &c. Collated with the last Acts of Parliament. By Wm. Anderson. In one large volume 8vo.

A Tour through Sicily, in the Year 1815. By Geo. Russell. Illustrated with a Map and eighteen interesting Plans and Views. 8vo. £1. 1s. bds.

Sermons preached in the Tron Church, Glasgow. By Thos. Chalmers, D.D. 8vo. 12s. bds.

Memoirs of the late Rev. Wm. Kingsbury, M.A. By John Bullar. 7s. bds.

A Voyage of Discovery, made under the Orders of the Admiralty, in His Majesty's Ships Isabella and Alexander, for the Purpose of exploring Baffin's Bay, and inquiring into the Probability of a North West Passage. By John Ross, K.S. Capt. Royal Navy. 4to. £3. 13s. 6d. bds.

The PAMPHLETEER, No. XXVI, contains the following subjects: 1. A letter to the Archbishop of Canterbury, on receiving the authorised version of scripture. By an Essex Rector. (Original.)—2. Vindictæ Wykehamicæ; or a vindication of Winchester College: to H. Brongham, Esq. on charitable abuses. By the Rev. W. L. Bowles.—3. Dangers of an entire repeal of the Bank Restriction Act; and plan suggested for obviating them. By J. Wray, Esq.—4. On Credit, with relation to the bankrupt law and insolvent debtor's acts. (Original.)—5. Papers on political subjects. By the Rt. Hon. Sir J. Sinclair Bart.—6. On the theory and practice of Benevolence. By G. Dyer, A.B., new edition, with considerable additions.—7. A vindication of the University of Edinburgh. By L. Whalley, M.D.—8. Holkham, its agriculture, &c. By E. Rigby, Esq. M.D.—9. An Oration, deli-

vered at the Philosophical Society of London, June 12, 1817. By O. Gregory, LL.D.—10. Observations on Banks for Savings.

Every one of these pamphlets contributes much valuable information on the subject which the author undertakes to discuss; information well calculated to assist the reader in forming an accurate judgment on the question, after listening to able advocates on both sides. Facts themselves, in the hands of the theoretical alchemist, become untruths, are transmuted into abstract untruths, unless attention is paid in stating them to the symmetry of circumstances; that is, to the proportion which the facts of one class bear to those affording grounds for an adverse conclusion. The closest approximation to general truth is the best foundation for fundamental principles.

IN THE PRESS.

The Life of William, Lord Russell, with some Account of the Times in which he lived. By Lord John Russell. 4to.

A Grammar of the English and Syriac Languages designed for the Use of British Students. By Mr. Thos. Yeates

A Manual of Chemistry. By W. T. Brande Esq. With Plates, in one vol. 8vo.

Tales of the Hall. By George Crabbe, LL.B. 8vo.

Life of Sheridan. By T. Moore, Esq. 4to.

ASIATIC INTELLIGENCE.

ON Monday, the 1st of March, was published a supplement to the London Gazette of Saturday Feb. 27. Some of our cotemporaries omitted this historical record altogether; not because they had neither room for the letter, nor time to extract the spirit of it, but for alternative reasons more creditable to assign: either because the particulars of the same events had long since reached this country, through the journals of the different presidencies, or because the details of minor occurrences, should it be their first appearance on any stage in England, possess no interest. But it is important to know to what extent news by private channels is confirmed by public documents; and as to the comprehension of all the main facts in previous accounts, that is a mistake as to two out of the four dispatches in the gazette of March 1. With regard to the degree of interest,

Asiatic Journ.—No. 40.

what editor can form so satisfactory an estimate for every reader, as to vindicate the entire suppression of intelligence, which, coming in the most authentic shape, is at the same time in some respects new? The following is a full abstract of the dispatches in question, omitting the indigestible covers; for sometimes the *kernel* of official intelligence is packed up in more shells than a walnut.

May 13.—Appa Sahab (the late Rajah of Nagpore) made his escape between two and three o'clock in the morning, from the detachment under Capt. Cave Browne. Six sepoy of the 22d N. I. and two of his domestic attendants accompanied Appa Sahab; the escort at the time was encamped near Ruchoor. Intelligence of this event was communicated by express to Brig.gen. Watson, and orders sent to Capt. Black, commanding at Mundla; Major O'Brien, commanding

in the district of Jubbulpore, immediately sent out parties for pursuit in such directions as were deemed eligible.

July 20. Capt. Sparkes, with a party of ninety-nine sepoy and ten native officers, having marched from Baitool on the 12th, and crossed the Taptec, to check some predatory horse, on advancing in pursuit of 150 sewars suddenly perceived a partisan force of 2000 horsemen and 1500 Arabs coming to attack him. On this Capt. Sparkes left his baggage under the charge of two naicks and seven sepoys; these were soon after attacked by a small body of horsemen, but beat them off, and made good their retreat to Baitool: with the main strength of his company, just 100 men, Capt. Sparkes prepared for the inevitable battle. Taking post first in a ravine, the small detachment defended it for an hour, killing a number of the enemy without losing a man. To prevent being surrounded, the steady band, which one name makes British, then moved, in the face of their fierce assailants, to a small height, where, having formed a square on the summit, they exchanged a dreadful fire with the hostile circle for two hours; during which period the Arabs charged three times, but were beat back with loss. At this time Capt. Sparkes's heroic company were considerably reduced, having lost one jemadar and 41 men; thus the enemy, who began with the disparity of 35 to one, had gained a comparative increase in numbers; taking advantage of this, they made a fourth charge, and were again driven back. The sepoys followed the enemy down the hill with the intention of occupying another hill to the right, which was a stronger position. In this attempt Capt. Sparkes received a mortal wound, the subadar was also wounded, and a number of sepoys killed. At this hopeless crisis, the enemy, both horse and foot, closed in; the subadar, though unable to stand, seized a loaded musket, killed one Sowar, bayonnetted a second, and then defended himself with his sword till he received a shot which proved fatal. The remnant of sepoys continued to defend themselves with the greatest bravery; but after their ammunition was expended, they were completely overpowered by numbers, and finally they were all either killed or wounded. Sub-

sequently to the battle, about ten of the latter had been brought into the British camp at Baitool; and Lieut. Wardlow entertains hopes that most of these brave and faithful men will recover.

Sept. 18.—Capt. W. Gordon at day-break attacked the town of Comptak, with his detachment, in three columns; the left column under Lieut. Thullier, with 140 men of the 1st batt. 1st Madras N. I., 24 of the 20th Madras N. I., and 200 of Major Jenkins's brigade under Lieut. Fraser; the centre column consisting of a gun, and a company of the same brigade; and the right column composed of Appa Anund Row's and Mubarrick Jemadar's men, all under the former. The first column having filled the ditch with fascines, forced their way into the town. When he had entered it, Lieut. Thullier moved round to the right, and detached Lieut. Fraser to the left; the two subdivisions driving the enemy before them, killed great numbers, and forced the rest into the plain. Here the fugitives were intercepted by two columns of Capt. Pedlar's auxiliary horse, that on the right under Capt. Gordon in person, and the left under Cornet Wilkinson; both columns of cavalry did great execution, killing between 300 and 400 men. Meanwhile the gun attached to the centre column of infantry had kept up a smart fire upon one of the enemy's principal batteries; and as soon as Lieut. Thullier got into the town, the company supporting the gun dashed at the battery, and possessed themselves of it. Anund Row advanced at the same time, and took the battery to which he was opposed.

The Jemadar's party of the 6th Bengal cavalry behaved in the noblest manner. After scouring the town, Lieut. Fraser on one side invested the ghurry, and set fire to it; while Lieut. Thullier under a heavy fire attacked the gate, attempting to blow it open with the six-pounder, but without success. To surmount this obstacle, a present of 200 rupees was made to an elephant driver, who was induced to carry his elephant up to the gate, by which it was forced open. On the re-united columns arriving at the second gate, Chhimna Potail held up a flag of truce; and Capt. Gordon gave him his hand, as a pledge for his life and that

of his family. The force in the town amounted to upwards of 2000 men, but had not a field piece among them. The enemy lost in the assault between 500 and 600 men. The returns from the storming columns amount to four sepoys killed, 17 native officers and 40 sepoys wounded.

Capt. Gordon anticipates that his having Chimna Potal in his custody will render unnecessary any farther military operations in that district, since orders will be sent by the captive chief for the surrender of Lanjee, Rampylee, and every other place in his power.

Sept. 14.—A day or two previous to this date, Major Bowen moved from Amalah to Boordye, in execution of the part assigned to him in operations concerted by Major Munt, C. B., commanding a detached field force in the country about Mooltye, near the source of the Taptee, in order to punish the presumption of the Arabs, who had lodged themselves in the neighbouring hills, whence they made plundering incursions. Having pushed with spirit and promptitude for this station of the enemy, Major Bowen, when close upon Boordye, formed his infantry, not amounting to 100 rank and file, into a line, with one troop of cavalry on either flank, and instantly closed with the enemy, who had drawn up, 500 in number, in front of the village to receive him, the Arabs were soon overpowered and fled through the village, when they again fell into the hands of the cavalry, who together with the infantry left 300 Arabs dead upon the spot. The rains prevented other rapid movements by other parties in communication with the head detachment, intended to be simultaneous with this, from being performed. Major Munt, however, trusts that this affair will confine the Arabs to the hills for the rest of the season; or that if famine force them down, it will only be to submit, or to disperse.

OPERATIONS OF THE ARMY.

Official, published in India.

Detachment Orders by Brig. Knox, Camp Ajmere, July 3, 1818.—"In offering his congratulations to the troops under his command on the surrender of the strong fortress of Marraghur, Brig. Knox feels it peculiarly incumbent on him to express his belief, that the successful

issue of this affair is principally to be attributed to the zealous and spirited conduct of the detachment employed in the operations of the 1st inst.

"The close and attentive reconnoissance of the town and fort of Ajmere, executed by Lieut. Hall of the quar. mas. gen's department, and Eus. Garstin of the engineers, appears to have led to the immediate evacuation of the former, and to the consequent occupation of positions by our troops of the greatest importance to our ultimate success, whilst the decisive effects on the minds of the defenders of the fort, caused by the battery which had been planned by the latter of these officers, affords the best test of its position having been judiciously chosen.

"To Maj. Butler, who voluntarily undertook the superintendence of the artillery detail, to Capt. Arden of the 27th N. I., Lieuts. Pringle and Aire of the pioneers, and generally to all the officers and men employed on this occasion, the brigadier begs leave to offer his best thanks. The facility with which, during a very stormy night and in spite of great natural obstacles, the battery was erected by the pioneers, clearly shews how much may be expected from the service of that valuable corps. In the judicious and successful application of the labour of the public servants and cattle, on this occasion, Lieut. Sneyd of the commissariat department has established an additional claim to that approbation of Brig. Knox, which his former conduct on the expedition to Samur had so justly excited."

Official, published in England.

SUPPLEMENT TO THE LONDON GAZETTE OF TUESDAY, FEBRUARY 23, 1819.

India Board, Feb. 24, 1819.—"The dispatches and reports, of which the following are extracts and copies, have been received at the East India House, from the Governor-gen. in Council at Fort William, and from the Governor in Council of Bombay, containing statements of operations, of which (although not of recent occurrence) the official accounts had not previously been received.

[*The reader is requested to connect the outline in our last number with the abstract which is now made, as we do not propose to give at length all the copies of dispatches.*]

Extract from a dispatch addressed by the Governor in Council at Bombay to the Court of Directors, dated 12th September, 1817.—"Captain Swanston, of the Madras establishment, charged a body of four hundred of the enemy, and put them to flight."

Copy of a dispatch from Maj. gen. Marshall to the Adj. gen., date Camp, Beedree Tal, 15th December, 1817.—"We did not arrive at the foot of the Ghant till

between two and three o'clock yesterday afternoon; when, hearing that the united durrahs of Wassel Mahomed and Kurreem Khaun had not left their camp, I ordered the division to mount the Ghaut. Brigadier Newbery, seeing a body of Pindarries, very judiciously ordered the cavalry to charge. The durrahs, a few hours before, had moved off with their families and baggage, leaving a thousand or two of their fleetest horses to cover their retreat. It was one thousand of these the cavalry pursued, and killed between forty and fifty; but the terror and dismay of the durrahs was extreme."

Copy of a dispatch from Maj.gen. Donkin to the Marq. of Hastings, dated Camp, on the Parbuttec, December 17, 1817.—"I this morning, about two hours before day-light, surprised a small camp of about two hundred and fifty Pindarries, twenty of whom were killed or wounded, about six were taken, and the rest escaped in the dark. This proved to be the camp of the family of Kurreem Khaun. They had been to seek a refuge in a neighbouring fort, which the Killedar had refused. Two of the prisoners assert that Kurreem's son was in the camp in charge of the family, and a young man had been killed who answers to the description given of him. I am unable to pursue Kurreem Khaun to-morrow, as I have outmarched all my supplies. He left this place yesterday, but is now thirty miles off. He two days ago gave away all his goods and baggage, burnt his tents, and dismissed his women and camp followers; he has retained only three or four thousand of his best soldiers, with whom he is pressing for the Morumdra pass according to some accounts, and according to others to Sheerghur, a fort near Lucknipoor, but into which I conclude Zalem Sing will refuse him admittance. After surprising the camp, I detached Lieut.col. Gardiner with his frontier horse after a party of Pindarries I had intelligence of in this direction; they were about three or four hundred; he attacked and dispersed them, killing about twelve or fourteen, and taking thirty-two camels, some of them valuably laden. Their bazar is also this moment brought in. Your lordship will see by this account that the Pindarries no longer exist here-about as a formidable power; they appear to be scattered over the face of the country, without resources, plans, or hopes."

Copy of a dispatch from Lieut.col. Adams to the Adj.gen., dated Camp, Gogarney, 25th Dec. 1817.—"Having received intelligence that a body of Pindarries had just descended the Targe Ghaut, I detached Capt. Holcerst with the 1st Rohilla cavalry in pursuit, and have the pleasure to annex his report, stating that he had the good fortune to overtake and disperse them. The num-

ber of the Pindarries appears to have been about 400, and the distance marched by the 1st Rohilla cavalry, including pursuit, nearly sixty miles."

Extract from a dispatch from Brig.gen. Hardyman to the Adj.gen., dated Camp, Jubbulpore, 20th Dec., 1817.—"Yesterday I had the honour to report, for the information of the most noble the Commander-in-chief, the total rout of the enemy before Jubbulpore. Since then, and in the course of yesterday afternoon, the town and gurry of Jubbulpore have been entirely evacuated by armed people of every description."

Copy of a dispatch from Maj.gen. Brown to the Adj.gen., dated Camp near Juwud, 29th Jan. 1818. "Capt. Caulfield, who had demanded that Bhow Sing and Imaum Buksh should be given up, as men who had been found to have screened and protected the Pindarries, finding only delays and evasions, I informed the Bhow yesterday that his intercourse with him was at an end until these men were surrendered: he persisted in making evasions and excuses, and in the mean time Bhow Sing was preparing to make off. Upon finding that his cavalry was saddling, I sent down a squadron close to his camp, with orders to attack him if he moved; but upon the squadron passing near their camp, a fire of matchlocks and three guns were opened upon them. This commencement of hostilities put an end to all doubt of the character in which the Bhow had placed himself. Two horse artillery guns, brought up to the aid of the cavalry, drove his men from their guns into the fort; and as the fire was continued I blew open the gate, and forced my way into the town under a heavy fire, but with little loss."

Extract from a dispatch from Maj.gen. Brown to the Adj.gen., dated Camp, Jowud, 30th Jan. 1818.—"The enemies loss must have been very severe, certainly not less than 1000 killed and wounded. Ours, I am happy to say, has been very trifling."

Extract from a dispatch from Mr. Russell, resident at Hyderabad, to Mr. Adam, secretary to the Governor-gen., dated 26th Jan. 1818.—"I have the honour to send you, for the notice of his excellency the most noble the Governor-gen., copies of Maj. Doveton's report to Brig.gen. Pritzler, describing two little affairs which our cavalry had had with the Peishwa's army on the 7th and 17th instant. Nothing can shew more clearly the contemptible character of the Peishwa's troops, than that 10,000 of them were routed by three squadrons, amounting to only 280 swords."

Copy of a dispatch from Maj. Doveton to Brig.gen. Pritzler, dated 8th Jan. 1818.—"At the distance of two miles from

the head of the column of infantry, I came up with six or seven hundred of the enemy's horse. Numerous ravines and nullahs greatly impeded my progress, and observing no inclination on the part of this contemptible body of the enemy to stand the charge, I directed the advanced squadron to break and pursue: about sixty or seventy of the enemy were cut up; thirty small horses and tattoos, together with some swords, spears, a camel, and some prisoners, taken."

Copy of a dispatch from Maj. Doveton to Brig.gen. Pritzler, dated 18th Jan. 1819. [*A detailed account, agreeing in all points with this dispatch, has been given in the Asiatic Journal, No. 35, p. 508, under "Official, published in India."*]

Extract from a dispatch from Maj. M'Pherson; commanding at Hoosingabad, to the Adj.gen., dated camp Colesunch, 23d Jan. 1818.—"I considered it a necessary step to obtain pos-session of the fort of Soony,* I accordingly marched with 500 men of the 2d bat. 10th reg. and 2d bat. 23d, 200 Rohilla cav., two 18 pounders, and two six pounders, field pieces, and arrived before the place at twelve o'clock of the 21st inst. I immediately summoned Khundoo Pundit, then in the fort, to evacuate it, granting him two hours to make his preparations, to which he agreed. At the expiration of the time allowed I demanded the fulfilment of his agreement, but he evaded it for some time, and finding that he did not intend to give up the fort, but had merely in view to gain time, I ordered the guns to a position distant 300 yards from that post which had been selected by Lieut. Walcott for breaching. The guns were served with the utmost skill and precision, and I conjectured from the appearance of the wall that a breach would have been effected by sun-set; but after having fired nearly 200 rounds, I was, in consequence of the evening's being far advanced, necessitated to order the firing to cease. The enemy, taking advantage of the cessation of our fire, retired from the fort in small parties. One of these bodies, amounting to about fifty, was attacked and dispersed, leaving fifteen men killed, by the party under Lieut. Macqueen."

Extract from a dispatch from Maj.gen. Donkin to the Adj.gen., dated camp Rampoor, Feb. 11, 1818.—"I arrived with part of the division under my command, and took pos-session of the fort of Rampoor,† and I shall, in the course of a day or two, deliver it over to the agent of the Oudipoor Rajah: it was formerly in the possession of Bapoo Sindia, whose troops

marched out this morning by capitulation."

Copy of a dispatch from Maj.gen. Donkin to the Adj.gen., dated Nankarowly, Feb. 14, 1818.—"The forts* of Rajh-nugger and Decaghur surrendered to the division under my command yesterday, upon the condition of my allowing them to march out with their arms and private property."

Extract from a dispatch from Maj.gen. Donkin to Mr. Adam, Secretary to the Gov.gen., dated camp, Nuth Dwarrah, Feb. 21, 1818.—"I had directed the Deputy Qr.mast.gen. to proceed to Koomulnair,‡ to present the order of Uswunt Rao for its surrender, and to make the best terms he could with the garrison."

Extract from a dispatch from Maj.gen. Donkin to Mr. Adam, Secretary to the Gov.gen., dated camp, Lowah, Feb. 26, 1818.—"You will have heard from Capt. Tod of the evacuation of the fortress of Koomulnair, on the terms originally demanded of me, namely, the actual payment, on the spot, of the whole of the arrears of the garrison."

Extract from a dispatch from Lieut. gen. Sir Thos. Hislop, Bart. and G.C.B. to the Gov.gen. and Commander-in-chief, dated Camp, Sindwah,‡ Feb. 23, 1818.—"I arrived at this place yesterday; and having had the necessary communication with the Killedar, the fort was this morning taken possession of by our troops."

Extract from a dispatch from Lieut.col. Vanrenant to Mr. Secretary Adam, dated camp, Rampoor, March 13, 1818.—"The fort and district of Rampoor have this day been taken possession of by the detachment under my command. The garrison have surrendered upon receiving their arrears."

Extract from a dispatch from the Gov. in Council at Bombay to the Court of Directors, dated Sept. 12, 1818.—"Brig.gen.'s Doveton and Smith having met at Jaulna, concerted operations for pursuing the Peishwah, and marched from thence, the former on the 1st and the latter on the 2d of April, for that purpose. His highness appears to have been much disconcerted by the seizure of Appa Sahib, who had been expected to join him."

Copy of a dispatch from Lieut.col. Scott to Lieut.col. Adams, commanding the Nagpore subsidiary force, dated camp Wuradah, April 3, 1818.—"I reached this place about a quarter before eight o'clock in the morning, and having just taken up our position, a body of horse was observed coming upon our right flank. I immediately moved after them with the cavalry,

* Situated in the South of Hoosingabad.

† A fort in the territory of Oudipoor, one of the Rajpoot States.

* Forts in the Territory of Oudipoor, one of the Rajpoot States.

† A fortress in the territory of the Rajah of Oudipoor.

‡ A fort in Candesh, thirty miles N. of Talmir.

horse artillery, and Capt. Pedlar's horse, and pursued them rapidly for about five miles, when finding further pursuit was useless, I returned to this ground. It appears that the party we attacked consisted of about five or six hundred men, and belonged to Gunput Row Muddun Sing, and Gokla's brother: the prisoners also agree (on separate examination), that the Peishwa, Gunput Row, Ram Deen, and Trimbuckjee, have united their forces; and also that of the whole of their force amounted to about 40,000, with two or three guns."

Extract from a dispatch from Mr. Russell, resident at Hyderabad, to Mr. Adam, Secretary to the Governor-gen., dated April 16, 1818, enclosing the following copy of a dispatch from Maj. Woodhouse to the resident at Hyderabad, dated Neermul, April 13, 1818.—"I wrote to you yesterday evening, when on my march to ascertain the route and intentions of Muddun Sing, who with a party of Mahratta horse had got down the ghauts. It fortunately chanced that the party of the Amil of Neermul were just collected; I therefore thought an opportunity offered of giving the enemy an alert, and pursued the route I expected he would take with forty horse of the Amil, forty of Capt. Davis's reformed horse, seventy men of Rajah Chundoo Loll's batt., and eighty rohillas and sirdars in the service of Muddoo Khan. Between 12 and 1 o'clock this morning, the guides led me down close to where the horse lay, namely, a mile east of Tembronee, and I accordingly formed for attack, seeing every probability of success from the nature of the ground. I then entered their camp, and marched through it in every direction. Two of the enemy were killed, several wounded, and three taken prisoners: the tent of the Sirdar, and a number of tattoos, bullocks, &c. were secured as plunder by my people. A little before day-light I continued my march to Tembronee, where I took post. The prisoners say, that Muddun Sing's party consisted of 1500 horse; I think they appear to amount to 1200 or more."

Extract from a dispatch, addressed by Governor in Council at Bombay to the Court of Directors, dated 12th Sept., 1818.—"Some forts to the northward of the range of hills dividing the Beema from the Godavery, namely, Ruttunghur, Kotalghur, Allumghur, and Muddunghur, were taken by Capt. Barton with a detachment of the 2d batt. of the 4th reg. N.I., who ascended the ghauts from the Northern Coucan. He was also of great use by his judicious communications with the Blueel chiefs and people of the neighbouring districts, in preventing their active hostility. A very gallant affair took place under Lieut. Crosby, a young officer left

in command at Mahe, who hearing of a party of Arabs, Mahrattas, and Patans, nearly 500 in number, being posted at Poladpore, made a rapid movement with his detachment, consisting of 75 rank and file and 140 auxiliary horse, surprised them, and in a quarter of an hour completely routed them with severe loss. The cruisers of your marine establishment, under the command of Lieuts. Robson and Dominicette, co-operated in the reduction of the forts in the Concan, with a zeal and gallantry very creditable to that branch of your service. The conduct of the last-mentioned officer, in particular, was very conspicuous throughout the whole of the operations on that coast."

Private and demi-Official, published in India.

The following are the more prominent facts, gleaned from the papers of the three presidencies, those from Calcutta coming up to the 21st October. Appa Sahib, late Rajah of Nagpore, was still at large, and several skirmishes had taken place between our troops and parties of the Gonds, in which the former were uniformly successful. Accounts from Upper India represent affairs as by no means in a settled state, nor the contending claims of native chieftains likely to receive a permanent adjustment without the aid and presence of a large military force. Brig gen. Arnold was about to march against the insurgent Batties to the north-west of Kurnaul, who had dispossessed the Seiks under British protection of Fatehabad. Gen. Donkin had previously moved in that direction. Accounts from Muttra state, that Scindia is on his progress to Bindrabund, with a numerous suite, for the purpose of making his devotions at that celebrated place of worship. Col. Firth has been ordered out with a detachment and brigade of guns, in order to pay him every mark of respect while in the vicinity of Muttra. A letter from the neighbourhood of Jeypoor says, that the labours of cultivation are proceeding with great activity, throughout a large tract of fine country, which had long lain waste.

DISTRIBUTION OF THE BRITISH FORCE.

From the *Madras Courier*, Sept. 8.—Letters from Meerut of 23d ult., mention the 3d troop of horse artillery, under that gallant officer Major Stark, part of the rocket artillery, five companies of the

1st and 25th, under Capt. Wilkie, two of her highness Begum Somroo's battalions, marched that morning for the Battie country. They are to be joined at Hissar by the 1st cav. from Muttra, a bat. of 29th from Rewarrie, part of 17th from Hansi, with five companies of 26th from Kernaul, and battering train from Delhi, to be commanded by Gen. Donkin, who was to leave Meerut about 1st instant, for the purpose of destroying all the forts in that country. Capt. Ferguson, political agent from Delhi, is to accompany the major general.

Madras Courier, Sept. 29.—A force is assembled at Hansi, under the command of Brig.gen. Arnold, which is to proceed against the Batties. It is composed as follows : 2d bat. 26th regt. Kernaul, 6 comp. ; 1st bat. 17th regt. Hansi, 6 comp. ; 1st bat. 29th regt. Rewarrie, 10 comp. ; 2d bat. 12th regt. Mottara, 10 comp. ; 1st bat. 25th regt. Meerut, 5 comp. ; 1st bat. N. C. Muttra, 6 troops. ; two bats. of the Begum's, 600 each ; one bat. of the Dadau, 1000. one troop European horse artillery. ; Half a troop rocket corps. ; 3d regt. Rampore local cav. ; 5 Russells of Skinner's third corps.

Ordnance, exclusive of field pieces : 2 18-pounders, two 12 do., 2 mortars, 2 howitzers, and one company of European artillery.

His Majesty's 24th dragoons have left Cawnpore for the presidency, preparatory to their embarkation for Europe.

EX-RAJAH OF NAGPORE.

Madras Courier, Sept. 25. — Poor Sparkes's affair happened on the 19th ult. ; assistance was then on the way to him, but arrived too late to be of any benefit to him. Other detachments have subsequently been set down to the quarter of Bietwol ; to the west of the Mahadeo hills, where the enemy were lodged, and now amount to 14 or 15 comp. of infantry, under Maj. M'Pherson, several guns, and the whole of the 7th cav., under Maj. Cumming. The valley to the south of these hills is defended by Col. Macmorine's force, and to the south is a detachment under Capt. Pedlar of a squadron of the 8th cav., 300 sepoy and irregular bat. 800 horse, and 4 guns. The force by the last accounts was at Lingu, in the neighbourhood of Sindewarra, about 50 miles west and somewhat south of this. At Chuppera, to the east of the hills, is a squadron of the 8th N. C., and 2 comp. of the 2d bat. 8th N. I., which arrived on the 6th, as a reinforcement to the small detachment already at that place, of 2 comp. 2d bat. 10th N. I. and Rohillah corps ; the whole commanded by Maj. O'Brien. The enemy consist of Arabs, the followers of the Peishwa and Nag-

pore Rajah, and Ghunds under their Rajah, Chain Sah ; Appah is supposed to head and direct them. Their numbers have been variously estimated, but it appears our first reports were much exaggerated, and the first alarm has considerably subsided. They are represented, however, as 10,000 strong, all of whom, excepting 4000 who were called Arabs, and which I believe includes Patans, are Ghunds. It is impossible to say what they might not have done, in a season so unfavourable for the operations of our troops, had not several conspiracies been discovered and rendered abortive. At Nagpore 1200 men had actually been raised for the Appa Sahib's service, but luckily detected in time to be rendered of no use to him. What the enemy will now attempt is uncertain, but in all likelihood little is now to be feared from them. They are at present confined to the hills and jungles, which can afford them no adequate subsistence, and reduces them to the necessity of plundering the villages in the immediate neighbourhood of the hills to supply themselves with the absolute necessities of life. If they attempt any thing beyond this, it is thought probable it will be to get into the country of Chaturghur, where supplies can be procured with much more ease. It is not at all unlikely, however, that the insurrection may terminate by the surrender of Appah, and have no other effect than procuring for him more unfavourable terms than those that were granted previous to his escape. One native account represented, that he had made a movement with his followers, but a letter states he is still at Puchmuni, which is in the western extremity of the hills. The plundering irruptions of the enemy have been chiefly directed against our eastern and southern frontiers, but more especially the latter, the enemy having very quietly established themselves in the district of Pandoorna, where they had commenced levying contributions in the Appa's name.

Madras Courier, Oct. 6.—We have been favoured with the following, relating to a few skirmishes in the neighbourhood of Nagpore.

The Ex-rajah sent a party of 300 horse and 500 Arabs and Ghounds about the middle of August to take possession of Mulyte, a large town with a fort near the source of the Taptee. Maj. Cumming of the Bengal service was ordered to prevent them, but from the badness of the roads and rains he could not get on, so that these men accomplished their purpose through the treachery of the peons sent to garrison the place. Maj. C. was then ordered to invest the town until he was reinforced by troops and guns sent to him, but on his appearing before the

place the enemy came out and attacked him, but he soon beat them back, killing 30 of them. The next day he changed his ground, which the fellows thought was preparatory to a retreat, and a second time came out to attack him, but they were again defeated with the loss of 12 men, and their horse was obliged to abandon the town. This cooled their courage, and they stole off in the night, unperceived by Maj. C. who sent a party of cavalry in pursuit in the morning, but they did not overtake the fellows. In the course of the day, however, he learnt that they encamped 21 miles distant, feeling perfectly secure from any attack. That night the major sent a troop of cavalry and some companies of infantry under the command of Capt. Newton, who after marching all night, came within sight of the enemy at daybreak next morning: they were on the opposite side of a deep and rapid river, the Bheah, about 300 yards from its banks. He with some difficulty crossed unperceived, and immediately attacked them, who fell an easy conquest to his party, 47 of them being killed on the spot, among whom a sepoy who deserted with the Rajah was discovered, and four or five of the peons who garrisoned Multye. Major Cumming in the mean time had defeated another party, and killed 50 of the Arabs. Capt. Gordon fell in with a party of 400 who were strongly posted in a deep and rapid nullah, to intercept his march to Saujic, with a detachment of horse and foot belonging to the Nagpore government, and after some firing on both sides dispersed them, killing 100 and taking 30 prisoners, who were immediately executed: these fellows belonged to a chief residing in the city of Nagpore, and had been sent on purpose to attack Capt. Gordon; it is said he is secured. A report prevails at Nagpore that Appoo Saib is dead, and they seem to give some credit to it at the residency."

From the Asiatic Mirror, Oct. 21, 1818.

We are happy in being able to present to our readers an account of a very spirited and brilliant attack made on a body of the insurgents in the Baitool Valley, by a detachment under the command of Lieut. Cruikshanks. The accounts of this affair have been received from Husseinabad, and state the enemy's force to have been composed of Gohunds and Arabs.

Lieut. C.'s detachment came upon them on the morning of the 21st of Sept.; they were strongly posted in a glen, under a chief called Dagee, and the entrance of this glen was crossed by two deep and rapid nullahs. The hostile force occupied the banks of these nullahs, from whence they kept up a smart and galling fire; their numbers were between 5000 and 6000 men.

Our infantry attacked in a most gallant manner by making a rapid and most furious charge, at the same time that the 7th cavalry having made a detour to the left, to get round a skirt of the glen, also fell upon them. This joint onset they were unable to withstand, and they fled immediately, with a loss of 300 killed and wounded.

At this place it was found that the enemy had collected large magazines of ammunition which were all blown up by our troops. The victors also got possession of a large quantity of arms and of plunder, elephants, camels, &c. It is hoped that this affair will put an end to the further opposition in the Baitool Valley.

SCINDIA.

Madras Courier, Aug. 18.

We learn from Gwalior, that Aratoon, though defeated by Baptiste's Dewan, managed to collect a force with which he has got possession of Essau Gurh, (formerly Bahaden Gurh); that this has given high offence to Dowlut Rao Scindia, and that Capt. Fielding with the cavalry at Shuhabad, and Capt. Blacker with the other division of Indian contingent, which was on the march from Saugur to Euguin, its ultimate destination, were ordered to proceed to Essau Gurh to dispossess Aratoon. To what a wretched state is Scindia's power reduced!

RAJPOOTANA.

Madras Courier, Aug. 18.

Since Ajmere and the fort (Tarah Gurh) were delivered up to the reserve, the troops have not been employed, and it is expected they will remain there until the rains are over; there are, however, several places to be taken possession of next cold weather, before the Jeipore Rajah's authority is completely established; the reserve will consequently be in motion again as soon as the season permits. The Hindoos of Rajepootana consider this as a most fortunate year; 1st, in freeing them from the depredations of the Mahrattas, Meer Khan's rabble, and the Pindarries; 2d, in bringing them the permanent protection of the British government; and lastly, in blessing them with a most abundant fall of rain: never did a campaign end under more auspicious circumstances!

UPPER PROVINCES.

From the India Gazette.

Accounts from the Upper Provinces state that the Batties had become restless in the neighbourhood of Hansi, and had possessed themselves of Futtehabad, which had been held by the Sikhs under the authority of the British government. Two companies of the 7th N.I. with two six

pounders under Capt. Foot, together with the dromedary corps, advanced to retake the place, but found the insurgents in too great force, and had to retire with some loss. We are sorry to observe that Lieut. Paton of the dromedary corps is said to have been wounded in three places. Gen. Donkin has moved with troops from Meerut to subdue the desperate adventurers, and to restore tranquillity to the neighbourhood.

CALCUTTA.

GOVERNMENT NOTICE.

Fort William, Aug. 11.—No further subscriptions will be received to the loan opened 4th April last, and the several officers of the government whom it concerns are prohibited from granting any further acknowledgements for subscriptions to the loan.

MILITARY REGULATIONS.

June 23, 1818.—The honorable the vice-president in council, considering it expedient, that all officers employed as assistants in the commissariat department should return to the line of their profession, on attaining the rank of Lieut.col., is pleased to notify, that no officer possessing that rank is to be permitted to hold the situation of assist. commissary gen. Officers, however, who may vacate their appointments in the commissariat, in conformity to the foregoing rules, are nevertheless to be considered eligible to be selected to fill the higher offices of the department.

23.—For facilitating the adjustment of claims which the native troops of the Bengal army have on the Java prize fund, and particularly the claims of heirs to deceased native soldiers, and of the men transferred to the invalid establishment before the return of the volunteer battalions from foreign service; the station committees, directed by government G.O. of 2d Oct. 1813, to assemble for investing claims to Maharatta prize money,—by G.O. of 26th April 1816, claims against the Mauritius prize fund,—are to assemble from time to time for identifying claimants against the Java prize fund, whether in their own right or as heirs. In conducting the investigations, the committees will recollect that the second levy of infantry volunteers and the Java cavalry volunteers have no claim to participate in the Java prize fund, and though the possession of an honorary medal, commemorative of the conquest of that island, may not, in every case, determine a claim to prize property, yet that in most cases the right to a medal may be received as a strong presumptive proof of the right to share in the prize property.

CIVIL APPOINTMENTS.

June 14.—Mr. John Wauchope, agent *Asiatic Journ.*—No. 40.

of the Governor-gen. in Bundelcund and Saugor; and T. H. Maddock, first assist. to the agent.

June 14.—Mr. C. W. Steer, judge and magistrate of Dacca Jelalpoore.

June 23.—Mr. N. MacLeod, judge and magistrate of Bundelcund.

Mr. W. Lowther, judge and magistrate of Rungpoore.

Mr. R. H. Scott, second register of the zillah court of Bundelcund.

Mr. H. H. Thomas, register of the zillah court of Juanpoore.

Mr. C. W. Smith, additional register of the zillah court of Etawah.

Mr. F. Miller, register of the zillah court of Shahabad.

June 30.—Mr. R. F. Grindall, judge and magistrate of Seharunpoore.

Mr. W. A. Chalmer, register of the zillah court of Seharunpoore.

Mr. J. S. Boldero, do. do. Moradabad.

June 26.—Mr. J. W. Paxton, collector of government customs and town duties at Moorsheadabad.

Mr. T. Packenham, collector of Shahjehanpoore.

Mr. E. R. Barwell, collector of Myensing.

Mr. A. Revely, first deputy of the opium agent at Behar.

Mr. G. R. B. Berney, superintendent of Midland Chokies.

MILITARY APPOINTMENTS AND PROMOTIONS.

June 23.—Messrs. H. and A. Garstin are admitted into the service as ensigns.

Mr. Geo. Reddie to be superintending surgeon, to fill a vacancy in the establishment occasioned by the appointment of Mr. Ogilvie to the troops serving in Rajpootana.

Aug. 21.—10th N.I. Capt. lieut. Jonath. Scott to be capt.; Lieut. and Brev. Capt. Alex. Dunsinure to be Capt. lieut.; Ens. L. N. Hull to be lieut.; in succession to Sparkes, killed in action. Mr. Cosby Barrowes is admitted to the service as ensign.

June 23.—Mr. Assist. surg. Geo. Bailie to the medical charge of the residency at the court of Holkar, from the date of his being nominated to that duty by the Commander-in-chief.

Major Cartwright, 24th N.I., to be assist. adj. gen. to the troops serving in Rajpootana; and Capt. Spiers, 23d N.I., to be maj. of brigade to the advanced corps of that force; from the dates to which they were appointed by the Commander-in-chief.

Aug. 21.—Mr. W. A. Venor, surgeon, and Lieut. Edw. Rouledge, have been permitted by the Court of Directors to return to their duty on this establishment without prejudice to their rank.

Lieut. Fagan, adj. of invalids at Allahabad, to be dep. paymaster to the Raj-

postana force, with the same allowances and establishment as fixed for the dep. paym. with the Nagpore subsidiary force.

Capt. Trelawny, 26th N. I., to be barrack master to the district of Rajpootana, on a salary of St.Rs. 400 per mensem.

Aug. 21.—Mr. John Davison to act as assist. surg. on this establishment.

June 23.—Senior sub-assist. com. gen. Lieut. Mein to be an assist. com. gen. in the room of Lieut.col. Campbell, who vacates in consequence of promotion.

Capt. Gage, barr. mas. of Meerut, to be sub-assist. com. gen.

Capt. W. H. Kemm, 25th N. I., to be barr. mas. at Meerut in the room of Capt. Gage.

FURLLOUGHS.

June 23.—Capt. Thos. Murray, 20th or Marine N. I., to Europe.

Lieut. J. S. Schalch, 14th N. I., to sea.

PENSION ESTABLISHMENT.

June 23.—Mr. Paul Gore, dep. com. of ordnance, is transferred to the invalid pension list.

Serjeant S. Chesney, attached to the fortress of Allahabad, is admitted to the pension establishment, and permitted to reside and draw his stipend in Calcutta.

Aug. 21.—Serjeant Michael Keys, artillery, is admitted to the pension establishment.

Rewards to Native Officers.

Aug. 29.—The most noble the Governor-gen. in council, impressed with a high sense of the distinguished zeal, gallantry, and conduct displayed by Subadar Bugwunt Sing, of the 6th N. C., in the charge which he made by the cavalry under the command of Capt. Fitzgerald, on the enemy's troops and guns at Nagpore, on the 27th November last, has resolved to bestow on the subadar, in reward of his services on that memorable occasion, a pension of 100 St. Rs. per mensem, on his retirement from the service, and an assignment of 300 beegahs of land, and a gold medal bearing an appropriate inscription, commemorative of the gallantry and merits of this veteran officer. The land in question to be free of assessment during the subadar's life, and to be held by his descendants after his death on a very moderate assessment. The Commander-in-chief is requested to make known to Subadar Bugwunt Sing the foregoing resolutions of government, and to direct the honorary medal to be presented to the subadar, in such public manner as his Exc. may consider fitting on the occasion.

LOCAL AND PROVINCIAL.

Aug. 10.—The Marq. of Hastings sent 1000 rupees to the Calcutta School Society, of which his lordship is the founder.

Sept.—The merchants of Calcutta lately applied to government for a loan of fifteen lacs of rupees on the deposit of Company's securities; and they accompanied this request with another paper, explaining the principal causes of the temporary scarcity of money at Calcutta. Seeing it reasonable to accede to the application, government have advanced the desired aid to the merchants.

The cholera morbus has extended its ravages to Vizagapatam, through the Rajmundry district, to Ellore. In this last town ten or twelve die every day. Casualties among the troops are few, as they have medical aid: In the district of Rajmundry, the byds or native physicians are successful in the cure. The following prescriptions are used by them: 1st. one ratty or gunja-seed weight of opium scorched in the flame of a lamp, and mixed up with an indefinite quantity of the husks of the ligusticum ajwaym, is formed into pills of a convenient size, the whole to be taken in one dose; 2. one ratty weight of opium is mixed up with two ratties of lime, and given in the form of a pill. There is no intelligence of the cholera having appeared in those districts of the Nizam's territories which lie north and north-west of Ellore and Rajmundry, and are separated from them by extensive forests.

Oct.—The Bishop of Calcutta has specially appointed, that all chaplains, on their arrival at the presidency from Europe, shall preach once in the cathedral of St. John before they proceed to their respective stations.

Some public meetings have been called to consider a project for clearing the island of Saugor, the necessary funds to be raised by subscribers. It is proposed that a joint stock company shall be formed by shares of 1000 rupees, to be paid in instalments at one, six, and twelve months. That government are to be solicited to grant the island to this company for 25 years, free of rent and taxes, and afterwards in perpetuity at 4 as. per bigger annual rent. That government be solicited to supply a military guard, a police establishment, medical attendance, tools, and a few elephants; that when the whole island is cleared, it shall be divided as a meeting of all the subscribers shall determine; and lastly, that till this island be cleared, the concerns of the company shall be managed by a committee of twelve members, four of which shall be elected annually. The benefits expected are, 1st, the possession of an extensive district, capable of raising the finer sorts of cotton, &c.; 2d, the formation of a depot for naval stores, and a dock for repairing ships; 3d, the capacity of supplying ships with live stock; and lastly, the establishment of a hotel, with baths, &c. for invalids,

thus saving the expense and loss of time in voyages to the Cape; and perhaps eventually, by means of an hospital, extending this advantage to the lower orders of Europeans in India, whose limited means frequently prevent their going to sea.

SHIPPING INTELLIGENCE.

Arrivals, Sept. 14.—H. C. ships Warren Hastings, General Hewitt, and Asia.

DEATH.

Aug. 24. Of a fever, near Rampurah, Geo. Frederick Harriot, Esq. late Maj. 12th Bengal N.I.

MADRAS.

CIVIL APPOINTMENTS.

July 16.—Mr. J. B. Hudleston, one of the police magistrates of Madras.

Mr. G. W. Saunders, register to the provincial court of appeal and circuit for the southern division.

Mr. C. R. Cotton, assist. to the collector and magistrate of Canara.

Mr. J. Paternoster, assist. to the collector and magistrate of Vizagapatam.

Mr. J. Blackburne, assist. to the collector and magistrate of Tanjore.

Mr. W. D. Davis, assist. to the collector and magistrate of the southern division of Arcot.

Mr. A. E. Angelo, assist. to the collector and magistrate of Nellore.

Mr. J. Orr, assist. to the collector and magistrate of Coimbatore.

Mr. F. Lascelles, assist. to the collector and magistrate of Cuddapah.

Mr. W. Anderson, assist. in the office of the accountant gen.

Aug. 25.—Mr. R. Jebb, LL.D. senior commissioner of the court of requests for the recovery of small debts.

Sept. 10.—Mr. M. Lewin, assist. to the collector and magistrate of Malabar.

MILITARY APPOINTMENTS AND PROMOTIONS.

July 28.—Maj.-gen. Alex. Dyce, to command the southern division of the army, from 1st Sept. 1818.

July 3.—Major E. W. Snow, 12th N.I. to be dep. adj. gen.

Major J. Kuowles, 3d N.I., to command the rifle corps.

Mr. S. Clemons admitted a cadet of infantry on this establishment, and promoted to the rank of ensign.

Aug. 4.—*To be Colonels.*—J. Simons, S. W. Ogg.

To be Lieut. Cols.—G. Keates, (died 9th Dec. 1817;) J. Gennys, (died 23d Feb. 1818), M. L. Pereira, T. Pollok, C. Hodgson, C. Heath, R. M'Dowall, D. Newall, W. Muaro, J. Muaro, H. F. Smith, H. Bowen.

To be Majors. H. Yarde, P. D. Maret, T. Webster, H. Durand, B. B. Parfby, W. Woodhouse, J. Woulfe, G. Cadell, G. L. Lambert, F. P. Stewart, T. Wren, J. H. Baber.

To be Capt.—T. Maclean, J. Ewing, A. Stock, F. M. Whitehead, P. Fraser, F. L. Burman, W. T. Sanders, W. P. Cunningham, L. Cooper, H. Munn, J. Scott, J. Watson, W. B. Spry, J. S. Chauvel, J. J. Baxter, T. E. Huntly.

To be Capt. Lieuts.—T. S. Watson, F. Best, J. Maxwell, J. G. Bonner, C. Forbes, G. Ogilvie, R. Hunter, T. Fair, F. Fitzpatrick, J. Forbes, (died 28th Jan. 1818;) R. Edwards, R. J. Tabois, C. W. Yeates, C. Rundall, S. Townsend, J. A. Say, J. S. Chauvel, J. Baxter, H. Ross, C. Cracroft.

To be Lieuts.—W. Ashton, G. Conran, D. H. McKenzie, W. F. Lewis, F. Boud, T. Biddle, J. Lambe, J. G. Hannington, H. Dowker, J. Metcalfe, G. B. Wardell, A. B. Dyce, J. H. Logan, (died 1st April 1817;) J. G. Mitford, W. Buck, (died 31st Aug. 1817;) A. M'Farlane, J. H. Winbolt, W. D. Dalziel, H. Mitchell, S. Jackson, T. Bell, J. Howison, V. Mathias, R. Brady, M. K. Young, D. Mansfield, C. Maxtone, C. M. Robertson, J. Lauric, H. E. Smart, H. Birch, (died 15th May 1817;) G. Williams, R. Dormer, A. Milne, A. Manbee, H. Gem, (died 19th Jan. 1818;) F. Weland, C. Evans, J. Wyllie, T. Thompson, W. Langford, F. H. Ely, R. T. Wallace.

Aug. 18.—Col. J. Simons is posted to 16th N.I.

Col. S. W. Ogg is posted to 17th N.I.

Lieut.col. John Munro is posted to 4th reg. 1st bat.

Lieut.col. H. F. Smith is posted to 14th reg. 1st bat.

Lieut.col. H. Bowen is posted to 3d reg. 2d bat.

Lieut.col. A. Grant, C.R., from the 14th reg. to the 17th and 2d bat.

Capt.lieut. J. G. Bonner is posted to the horse artil., vice B. Mackintosh on staff duty.

Lieut. Fireworker J. M. Loy is posted to the horse artil., vice Bonner.

Maj. Yard, Madras European reg., at present doing duty with the Carnatic European Veteran bat., will join his corps forthwith.

Maj. Stewart, 14th N.I., is posted to 1st bat. of that corps.

Maj. Chitty, 16th N.I., is removed from the 2d to the 1st bat.; and

Maj. Baber of the same corps is posted to the 2d bat.

Capt. Downes is removed from 2d to the 1st bat. pioneers, vice Massey dec.

Capt. Milne, 19th reg., is posted to the 1st bat. pioneers, vice Downes transferred.

Lieut. Wheeler, 15th N.I., is posted to the 2d bat. pioneers, to complete the establishment.

Lieut. Hammond, 1st bat. 11th N.I., is posted to do duty with the infantry recruiting depot, until further orders.

Ens. C. Evans, 1st bat. 13th N.I., doing duty with the 1st bat. 3d reg., is permitted to join his corps.

Aug. 19.—9th N.I., Capt. Lieut. C. A. Elderton to be Capt., and senior Lieut. A. Anderson to be Capt. Lieut., in succession to Massey, dec.

The undermentioned cadets are admitted on the establishment, and promoted to the ranks of cornet and ensign, viz. Cav., C. W. Lewis, W. Lewis.—Infantry, A. M. Cally, E. F. Mourro, C. E. Buckenridge, E. Doveton, F. C. Scott, H. S. Burgess, M. H. Bainbridge, T. A. H. Rawstorne, J. D. Parkin, G. B. Greene, H. W. Hudson, F. Bradfield, C. G. Chauvel, H. C. Lynch, P. Thomson.

The undermentioned gentlemen are admitted Assist. Surgeons on the establishment, Mr. J. Morton, Mr. A. Paterson.

The cadets promoted to the rank of Ens. are posted to do duty as follows: Ens. G. B. Greene with the rifle corps; H. C. Lynch, 2d bat. 10th N.I.; T. A. H. Rawstorne, 2d bat. 10th N.I.; C. G. T. Chauvel, 2d bat. 10th N.I.; P. Thomson, 2d bat. 4th N.I.; M. H. Bainbridge, 1st bat. 18th N.I.; J. D. Parkin, 2d bat. 12th N.I.; F. Bradfield, 2d bat. 12th N.I.; H. W. Hudson, 2d bat. 20th N.I.

Lieut. P. Poggenpohl to be adj. to the horse artill.

Mr. Senior Assist. Surg. J. Cooke to be full Surg., vice Alexander resigned.

The following dates of rank are assigned to the undermentioned officers, pursuant to the confirmed sentences of a general court martial, by which the former of them was adjudged to lose one step and the latter to be placed at the bottom in the list of lieuts. of the corps.—4th N.I., Lieut. D. Watson, 15th Aug. 1816; Lieut. F. Haleman, 5th June 1817.

July 3.—Ens. J. R. Anderson, engineers, to join the Hyderabad subsidiary force, and to place himself under the orders of Lieut. Coventry.

28.—Capt. Jas. Walker, 3d N.I., to act as paymaster of the Hyderabad subsidiary force, during the absence and on the responsibility of Capt. Carfrae.

Medical staff establishment to the detachment of native troops on service on the island of Ceylon: Mr. Assist. Surg. J. Lamb, to be deputy medical store-keeper; Assist. Surg. J. Dalgas and W. A. Hughes, to be disposable Assist. Surgs.; Sub-Assists. De Carlos and Gay, to be Sub-Assist. Surgs.; and first dressers J. E. Heyne, Fegredo, Eason, and John Calba, to be attached to the force as first dressers.

Sub-Assist. Surg. Stone to do duty at the garrison hospital of Fort St. George.

FURLOUGHS.

July 3.—Lieut. col. C. Deacon, 16th N.I., to Europe for three years.

Capt. R. Richardson, 15th N.I., to Europe for three years.

Lieut. C. W. Macintosh, 12th N.I., to Bombay and to sea, to 20th Dec.

Lieut. T. R. Mantell, 10th N.I., to Bengal for six months.

Sub-Assist. Com.-gen. Lieut. J. Noble, to sea.

Mr. Assist. surg. A. Campbell, to Europe.

Mr. Assist. surg. J. Cuddy, to sea for six months.

The furlough to Europe to Capt. H. Degraives, 24th N.I., is cancelled in compliance with his request.

LOCAL AND PROVINCIAL OCCURRENCES.

Madras Courier, August 25.

On the evening of the 20th inst., a ball was given by the rt. hon. the governor at the banqueting room, at which the Nabob of the Carnatic and his family assisted, and where his highness was received with the accustomed honours due to his rank. As the ladies and gentlemen of the settlement were apprised that Sir Thos. Hislop was to be present, a very numerous company assembled to congratulate his Excellency upon his return to the presidency. The Governor, obliged to retire at an early hour, had requested the hon. the Chief Justice to fill his place in the chair at supper. Sir J. Newbolt having paid, in an elegant speech, a just tribute of applause to the abilities of the Commander-in-chief of the army of the Deccan, and to the valour, discipline, and meritorious conduct of the forces who served under his Excellency, proposed the following toast, in the Governor's name, which was drank with enthusiasm. "Sir Thos. Hislop and the gallant troops, who, under the able conduct of his Excellency, as Commander-in-chief of the Army of the Deccan, gained the brilliant and decisive victories which so eminently distinguished the late memorable campaign." Sir T. Hislop having returned thanks for the honour conferred upon him, gave the health of the Governor and his family. His Exc. then proceeded, under impression of the strongest feelings, to pass a warm eulogium upon the undaunted courage, unwearied perseverance, and exemplary conduct of the troops who had served under his personal command in the Deccan and north of the Nerbudda; his Exc. concluded by proposing as a toast, "The Army of the Deccan," which was drank with repeated cheers. The company soon after returned to the ball room, when the dancing was continued to an early hour on Friday morning.

Madras Courier, Sept. 22.—The performance at the Theatre, Race Stand, on

Monday the 14th, justified the expectations we had held out. The house was crowded in every part, and the representation was of the very first order. It brought forth decidedly the best comic acting we have seen in India.

SHIPPING INTELLIGENCE.

Arrivals—July 9, H. C. ship Prince Regent, Capt. Harris, from England, 31st March. Passengers—Majs. R. Taylor and J. Dalrymple; Capts. W. Baker and M. Sherwood; Lieuts. A. McFarlane, J. Thompson, G. Garne, and Lt. Green; Ensigns J. Fletcher, J. Harrison, J. Read, and J. Stewart; Cadets Mr. W. S. Berry, J. Woodman, C. Bell, J. Delmonte, G. J. Hamilton, R. Thorp, A. Woodburn, J. Whillie, J. De Laughton, and D. Dighton; Mrs. E. Taylor and Mrs. E. Stewart.—For Bengal. Mrs. C. Nesbitt, Mr. R. B. Nesbitt; Assist.surgs. T. B. Barker, P. Carruthers, and T. English; Cadets A. Larmet, C. Burrows, J. R. Graham, J. Currie, W. Lennox, J. R. Annesley, T. J. Simpson, R. Thorp, and J. Woodburn.

Aug. 18.—H. C. ship Astell, Capt. Cresswell, from England, 26th April. Passengers, for Madras,—Mrs. Blair, W. T. Blair, Esq. junior merchant; Mr. H. M. Blair, writer; Messrs. T. H. Rawstone, H. M. Bainbridge, W. C. Lynch, J. D. Parkins, and A. Paterson, cadets.—For Bengal. Ens. H. S. Brooke; Messrs. C. A. Graht, J. J. Smith, G. T. S. Sandby, C. H. Wintour, R. J. Grange, Winthorpe Vernon, J. Liptrap, H. Dé Budé, L. A. Robertson, A. Fuller, W. Veysie, and R. Raban, cadets; Mr. E. D'Rozario, returning to India; Mr. Alfred Bond, free mariner; Messrs. P. Jones, P. Green, and G. Smith, for the pilot service.

Same day, H. C. ship Phoenix, Capt. T. White, from England, 26th April. Passengers for Bengal.—Lieut.col. Henry Worsley, C. B.; Mr. E. Earns, Mr. E. B. Isaac, Mr. A. G. Ward, Mr. Watson. For Madras.—Mrs. Beaumont, J. Beaumont, Esq; Mr. J. Morton, Assist.surg.; Messrs. C. G. T. Chauvel, F. Bradfield, E. B. Greene, and H. W. Hudson, cadets.

Sept. 8th.—H. C. extra ship Northampton, Tebbutt, from London 3d May and Portsmouth 16th May. Passengers.—Messrs. S. Boileau and J. Scott, cadets for Bengal; Mr. J. Blalyuden, free mariner.

10. The Liverpool ship Coldstream, Coxwell, from England 7th May; H. C. ship Lord Keith, Freeman, from London 17th May; H. M. ship Towey, Capt. Hill, from Trincomalie.—Ship Lady Castle-reagh, Capt. Weltlen, from Hobart town the 26th June, and New South Wales the 1st July.—Sept. 13th, Brig Hyperion, Galloway, from London 17th May.

14. Barkworth, Chillingworth, from London 3d Feb., St. Helena and Madeira 3d July.—Passengers: Mrs. E. Gabriel, Mr. Harper.

15. Dadaloy, Dyce, from Bombay 26th Aug., and Trincomalie, 11th Sept.—Passengers: Sir T. Scvestre, M. D.; Capt. Stewart, Rifle Corps; Lieut. Campbell, H. M. 67th regt; Ens. Meuron; Mr. Brooks, free mariner; Mr. Massey, and Mr. Palston, free mariner.

16. Boyne, Capt. B. Ferguson, from London 3d, and Madeira, 30th May.—Passengers: Mrs. Boyd, Miss O'Halloran, Miss Maria Boyd, Miss Marianna Boyd, Miss H. Boyd; Mr. E. Elliott, Mr. Fleming, and Mr. Fitzgibbon, cadets for Madras; Mr. Sampson, Mr. Voinque, and Mr. Garden, cadets for Calcutta; Mr. Thomas, Mr. Bidwal, and Mr. Fourth, free mariners.

Same day. Charles Mills, Jackson, from London 6th June. Passengers for Bengal.—Mrs. Grant, Miss C. Abbott, Misses I. Lane, J. Laue, Maj. Grant, Lieut. D. Donaldson, Lieut. A. Gray, Lieut. D. Maitland, Mr. J. Graham, writer; Mr. W. Cameron, assist.surg.; Messrs. J. Driven, J. Lewis, J. Stokes, A. Penson, and G. Cheap, cadets; Mr. J. E. Whiteman, Mr. E. Whitehead, Mr. T. Potter, free mariner; Mr. W. Hislop, Mr. D. Breakeridge, Mr. W. Hardy, Madras establishment.

29. Cornwall, Harris, from London 7th June.

Departures.—Aug. 18, Gen. Graham, Weatherhead, and Recovery, Fatherly, for Bengal; 19th, Rochester, Sutton, for Bengal; 21st, Astell, Cresswell, and Phœnix, White, for ditto; Sept. 4th, Edmonstone, Laird, for Calcutta; 8th, J. Palmer, Saunders, for the Cape and Liverpool; 9th, H. M. ship Orlando, I. Clavell, for Trincomalie; 15th, Northampton, Tebbutt, for Calcutta; Coldstream, Coxwell, for Calcutta; Lord Keith, Freeman, for Calcutta; 17th, Towey, Hill, for Trincomalie; 30th, C. Mills, Jackson, for Calcutta.—Passengers: Mrs. and Miss Casamaijor, Miss S. Sherman, Maj. Cadell, J. A. Cassamaijor, Esq. D. Elliott, Esq. E. Elliott, Esq. and ——— Dampier, Esq.—Oct. 4th Eclipse, Winter, for England.

BIRTHS.

Aug. 30. At Cannanore, the lady of Lieut. Bond, Artillery, of a daughter.

25. The lady of B. Babington, Esq. Civil Service, of a son.

Sept. 3. The lady of J. Betham, Esq. of a son.

18. At Cannanore, the lady of Capt. W. Pickering, of a daughter.

Oct. 4. At the Presidency, the lady of J. Goldingham, Esq. of a son.

— At his gardens at Royapooram, the lady of C. P. Gordon, Esq. of a daughter.

MARRIAGES.

Sept. 24. At the Scotch church, Mr. Qr.mast. Henderson, of the Artillery, to Miss Cross, daughter of Mr. Cross, of this Presidency.

DEATHS.

- Aug. 7. Mrs. G. Diring, wife of Capt. Diring, 1st bat. 15th reg.
 26. After a long, lingering, and painful illness, and when within 25 miles of this Presidency, on her way from Hyderabad, the lady of Lieut. Col. C. Deacen.
 Sept. 3. At St. Thomas's Mount, in the 50th year of his age, the Rev. Father Free Gaspar, of the Order of St. Augustin, Vicar of that place for the last 30 years.
 6. After a painful and lingering illness, Mdomdie Chikka Royal, uncle of the Rajah of Punganore.
 9. At Vellore, Ellen Allicia, the infant daughter of Capt. Broderick, H.M. 34th reg.
 22. Lieut. J. Riddell, Assist. Surveyor-gen.

BOMBAY.

Political—official.

Bombay Castle, Sept. 17.—Several cases of a very serious nature having arisen from the shooting of peafowl in Guzerat; and such a practice being revolting to the prejudices of the native inhabitants, the rt.hon. the Governor in council deems it necessary positively to prohibit the shooting of peafowl by any person or persons in future in the vicinity of villages in that province, and the magistrates and officers commanding the several districts and stations to the northward are required to adopt the necessary measures to give effect to this prohibition.

CIVIL APPOINTMENTS.

Aug. 4.—Messrs. Hockley, Burnett, Lumsden, and Crawford, to proceed to Poona, and placed under the orders of the commissioner.

Mr. G. R. Elliott, register, &c. at Kaira.

Mr. J. Kentish, to be acting register, &c. at Surat.

Mr. J. Vibart, to be acting register, &c. at Broach.

Mr. A. Bell, jun. to be acting register in the Northern Concan.

Mr. W. Wilkins to be 1st assist. to the collector of Surat, and Mr. H. G. Oakes to be 2d do.

Mr. E. Grant to be 1st assist. to the collector of Broach.

Mr. H. M'Ilraith to be 1st assist. to the collector at Kaira, or Eastern Zillah North of the Myhee.

Capt. R. Barnewall, to be 1st assist. in the revenue dep. in the Southern Concan.

GENERAL MILITARY REGULATIONS.

Extract General Letter from the Court of Directors, 23d Jan. 1818.—Par. 2. "Having reconsidered our orders of the 16th June 1815 (par. 134 and 5), relative to the sum to be paid for the passage of subaltern officers proceeding to England at the Company's expense, we have determined to revert to the amount fixed in 1810, and accordingly direct that the sum to be so allowed in future be fixed at 1500 rupees.

Sept. 10.—The rt.hon. the Governor in council is pleased to cancel that part of the general order of the 3d July, placing the troops under the command of Lieut. col. Kennedy on garrison allowances from the 1st of last month, and to continue them on field allowances to the end of the present month.

MILITARY APPOINTMENTS AND PROMOTIONS.

Mr. John Harding and Mr. Jas. Bird to be assist. surgeons.

Mr. Chas. Walter, now an officer in H.M. 22d reg. of foot at Bombay, to be a cadet of infantry upon that establishment.

Aug. 5.—Mr. J. A. Walsh, cadet, is admitted on the establishment, and promoted to the rank of ensign.

Sept. 10.—Mr. Athill, artillery cadet, is appointed acting lieut. fireworker; and Mr. Hemming, for the engineers, acting ensign. The following infantry cadets are also promoted to the rank of ensigns, viz. H. Spencer, J. Brooks, W. Cavaye, G. Lloyd, R. C. Cowan, N. Campbell, J. Sandwith, C. Mathison, J. Finlay, P. Kensington, T. R. Billamore, J. H. M. Luyken, E. Hallum.

Sept. 28.—Mr. H. Lyons, admitted on the establishment, a cadet for the infantry.

Aug. 4.—8th N.I. Sen. maj. E. F. Edwards, to be Lieut.col., vice Lyall, dec.; Sen. Capt. J. Salter to be Major; Capt. lieut. G. Edsall to be Capt.; and Brevet Capt. and Lieut. J. P. Napier to be Capt. lieut.

Aug. 19.—Assist.surg. G. Ogilby to be civil surg.

Aug. 4.—Assist. surg. Llewellyn relieved from marine duty, for the purpose of being employed on shore.

Aug. 6.—Capt. Perkins, in charge of the guard and poora at Baroda, is appointed to the command of the fort of Kurrie, in the room of Major Kempe, ordered to join his corps in the Deccan.

Aug. 13.—Brev.capt. and Lieut. Keith to be sub assist. commissary.

Aug. 27.—Lieut. Dunlop, 2d bat. 7th N.I., and Cornet Paul, 1st L.C., are appointed linguists in the Hindoostance language to those corps respectively.

Sept. 5.—Mr. Surg. Robt. Eckford to be garr.surg. at the presidency, in the room of Mr. Surg. Maxwell, resigned.

Sept. 10.—Lieut. Jas. Laurie, 2d N.I., is appointed Persian interpreter to the officer commanding the troops in the Deccan, in the room of Brev.capt. and Lieut. Hollis, who is permitted to do duty with the Nizam's reformed horse.

Sept. 21.—Capt. J. A. O. Brown, 10th N.I., is placed at the disposal of the sole commissioner for the settlement of the territory conquered from the late Peishwa,

Lieut. Seely, adj. of the bat. of invalids, having been placed at the disposal of the resident at Nagpore. Lieut. Walter Nixon, 6th N.I., to be adj. vice Seely.

Sept. 25.—1st bat. 2d reg. N. I. Lieut. Jos. Laurie to be adj., vice Brev. capt. and Lieut. Jas. Laurie, appointed Persian interpreter to Brig. gen. Smith, C.B. Lieut. A. N. Riddell, 1st bat. Grenadier N. I., to be bazar master to the field detachment under the command of Lieut. col. Corsellis, in Malwa, vice Hake, dec.

Sept. 5.—Mr. Surgeon Maxwell has resigned the situation of garrison surgeon at the presidency.

Sept. 10.—Maj. gen. John Baillic, commandant of the batt. of artillery, is released from the command of the garrison of Bombay.

Mr. W. Gourlay, late a surg. upon this establishment, has retired from the Company's service from the 17th June 1817.

FURLOUGHS.

Aug. 29.—Lieut. A. Stewart, assist. quar. mas. gen. on the Madras establishment, to the Cape of Good Hope for six months.

Sept. 3.—Major C. Hodgson, commissary of stores at the Presidency, to sea for three months.

Lieut. and brevet capt. W. Wilkins, 1st N.C., to Europe for three years.

Sept. 18.—Lieut. B. McMahon, 1st batt. 8th N.I., to Bussorah for six months.

Sept. 25.—Major A. McLeod, Mad. 8th. L.C., to sea for six months.

Assist. surg. G. Johnstone having remained in England beyond the period prescribed by the act of parliament, is struck off the strength of the army. The following officers having likewise exceeded the prescribed period, are also struck off from the dates to which their several furloughs were prolonged, viz. 2d N.I. Lieut. S. B. Ambrose, 19th May 1818; 5th N.I. Lieut. S. Naylor, 1st July 1816; 9th N.I. Lieut. Jas. Lugar, 7th Jan. 1817.

Bhurtpoor Prize Money.

Aug.—Payment will be made by the several paymasters to the parties of the Bombay division entitled to share in the property captured at Bhurtpoor, according to the following distribution to each, viz. maj. gen. S.Rs. 436; lieut. cols. 360; majors 240; captains and surgeons 120; subalterns and assist. surgeons 70; ensigns 50; conductors and qr. masters 12; subadars 5; jemadars and sarangs 3; havildars and 1st tindals $1\frac{3}{4}$; serjeants 2; corporals, gunners, drummers, and privates, 1; Naicks, 2d tindals, privates, drummers, packdallies; and gun lascars $\frac{3}{4}$.

LOCAL AND PROVINCIAL.

Accounts of the access and departure of the cholera morbus in various quarters, give a melancholy interest to the Bombay papers.

Extract of a letter from Punderpoor, 20th Aug.—"I was at Punderpoor, when the cholera raged, and nothing in this world could be more distressing. In the town alone it carried off 3000; 350 died in one day, tumbling over each other in the public streets, as if knocked down by grape shot. I lost my two gorawallas, who were both in perfect health the day before. After lasting about ten days it disappeared in as extraordinary a manner as it came."

From the Bombay Courier, Sept. 19.—"We have the satisfaction of stating that the disease which has lately been so prevalent throughout India, continues to decrease very considerably on this island. It does not appear to have yet reached Guzerat; but every preparation was making in that quarter to afford the requisite medical assistance should it unfortunately make its appearance there."

Bombay Gazette, Sept. 30.—"We are concerned to state that the cholera has reached Surat, and that many fatal cases have occurred. The reports from the Southern Concan speak also of it; and as taken from the mouth of a native reporter with all the accustomed exaggeration, it appears to be alarming; at Colapore, as an instance, they state that 60 persons embarked on board a boat to cross the river, but that three only reached the opposite side in safety, the others having perished by the way.

SHIPPING INTELLIGENCE.

News of the Lion.—We are glad to state, that all apprehensions for the safety of the Lion brig, in which Mrs. Holman and family proceeded to Trincomalie, have been removed: she sailed from this port in the month of May for Trincomalie, but from the violent winds that prevailed was blown off the coast. The following is an extract of a letter from Trincomalie, July 18.—"It is with the greatest possible pleasure I can now inform you of our safe arrival here, from one of the most miserable passages almost ever known of ten weeks. For the last week, before the arrival of the Bacchus, they had entirely given us up. I shall not trouble you with more about the passage than what I think, in justice to the character of Capt. Wm. Smith, I ought not omit; that were it not for his skill and steady watchfulness on board, we never should have been heard of again; and, in fact, never reached this in health but for his attentions. We had nothing but rice for the last two

days, and only half a cask of water when we entered the harbour."

Arrivals.—Sept. 9. Victory, Braithwaite, from England, 24th May.—Passengers: Messrs. Campbell, Lyons, Cavaye, Brooks, Lloyd, Covin, Spencer, and Athill, cadets; Mr. Rice, and Mr. and Mrs. Cooper.

12th.—Lady Lushington, Capt. D. Dormer, from London, 4th May.—Passengers: Lieut.col. Gifford, Miss Gifford, Mrs. J. Sandwith, Mrs. F. Sandwith, Miss Sandwith, Miss Comyns, Miss Carter, Mrs. Erskine, Miss Clunes, Capt. Morse, Mrs. Morse, Miss Morse, Lieut. Newton, Mr. Boye, Lieut. Dundee, Assist.surg. Griffith, Messrs. Matthison, Sandwith, Hemming, Finlay, Luyken, Kensington, Hallum, Billamore, cadets; Mr. John Black, free mariner.

13th.—Edward, Johnson, from England 18th May.—Passenger: Mr. T. Johnson, free mariner.

16th.—Robarts, Brown, from Calcutta 24th June.—Passengers: detachment H.M. 67th regt.

23d.—Ahmedy, Cooper, from Busorah.—Passenger: Mr. E. S. Wason.

24th.—H. C. cruiser Mercury, Capt. T. Blast, from Red Sea, and last from Surat.—Passengers: Mrs. Bell and Miss Wrangham.

30th.—Lonach, Driscoll, from London 29th May.—Passengers: Mr. and Mrs. Johnson and two children, Miss Irouside, Miss Johnson, Miss Blair, Mr. Appach, Mr. Dodd, Mr. Smith, Lieut. Baynes, Mr. Wilkins, Mr. Waterfield, Mr. Bell, Mr. Thompson, Mr. Hatfield, Mr. Ritchie, Mr. Colegate, Mr. Rogers.

Sir Evan Nepean, Boog, from Suaz 30th Aug.—Passenger: Maj. Moore.

Departures.—Aug. 24. Charlotte, C.J. Stevenson, to China.—Passengers: Mrs. Alvares and family.

Sept. 12th.—Asia Felix, Naqudah Moosajee Calla, to Calcutta.—Passenger: Mr. J. S. Young.

—Ahmody, Hemming, to Penang and eastward.—Passengers: Capt. Nixon, Mr. McCarthy.

13th.—Swallow, Oliver, to London.—Passenger: Capt. Wilkins, 1st N. C.

30th.—Kusrovic, Waddington, to Muscat, Bussire and Bussorah.—Passengers: Maj. Greenhill, Maj. McLeod, Capt. Soppitt, Mrs. Waddington.

BIRTHS.

Sept. 15. At Surat, the lady of Capt. Whitehill, 5th N.I. of a son.

19. At Fort Victoria, the lady of Capt. Morison, commanding that station, of a son.

22. The lady of Dr. J. A. Maxwell, of a daughter.

24. At Mazagon, Mrs. Yeates, of a son, still-born.

MARRIAGES.

Aug. 22. Lieut.col. David Leighton, Adj.gen. of the army, to Isabella Constantia, third

daughter of H. T. Williams, Esq. of Keppel Street, Russell Square.

—Maj. Wm. Pendock Tucker, Dep.qr.mast.-gen., to Clarissa Elizabeth, youngest daughter of H. T. Williams, Esq.

Sept. 1. Capt. J. Keith, Sub.assist.com.gen., to Miss Annabella Moore.

DEATHS.

Aug. 9. At Kaira, Northern Division Guzerat, in child-birth, Elizabeth, wife of Mr. Conductor J. H. Young, at that station.

Sept. 12. At Sceroor, Mary Celeste, only child of the Rev. T. Robinson, aged 11 months.

14. At Kaira, Mrs. Atkins, wife of Capt. Atkins, of H.M. 17th Light Dragoons.

18. At Sceroor, Eliza, the lady of Robert Wallace, Esq.

CEYLON.

POLITICAL ECONOMY.

From the Ceylon Gazette, Aug. 15.—“His Exc. the governor has given deeds of emancipation to all the slaves employed in the leper and pettah hospitals under the superintendent of the poor funds. This measure is to be considered as indicating his Exc’s. determination to promote the general abolition of that odious degradation of our fellow creatures, since in regard to the slaves just now emancipated they were slaves only in name, for by his Exc’s. particular directions they received the same wages as free servants.”

CIVIL APPOINTMENTS.

Aug. 2.—To take effect from Aug. 1. T. R. Backhouse, Esq. to be collector of customs for the district of Mabar.

Charles Hay, Esq. to be sitting magistrate and assistant custom master at Calpenteen.

MILITARY APPOINTMENTS.

19th Reg.—2d lieut. John Wardell, from 2d Ceylon regt. to be lieut. without purchase, vice Hatherly, dec.

1st Ceylon Reg.—Supernumerary 1st lieut. John Braham, from half pay of the 83d to be effective on the establishment, vice Foulstone, retired on the half pay; R. Basset, to be 2d lieut. without purchase, vice Green, dec.

83d Reg.—Ens. L. Brown, to be lieut. without purchase, vice Smith, dec.; R. G. Geddes, to be Ens. without purchase, vice Brown, promoted.

REVOLT IN KANDY.

Two or three private letters from Ceylon, lately published in London, bore internal evidence of having been written on the spot, and by people who well understood the state of affairs. Their musing of deep gloom prepared us to expect that the arduous trial for the British arms was about to close in triumph; for those who

resign their thoughts and feelings to the influence of an amiable melancholy never grow in earnest till their willing despondency is without hope.

Official — published in Ceylon.

"G.O., dated *Head-quarters*, 31st Oct. 1818.—The commander of the forces congratulates H. M.'s and the hon. Company's troops under his command, on the important and decisive event of the capture of the two principal rebel leaders, Keppetapola and Peleme Telawe, which may be considered as the death-blow to that rebellion their efforts have successfully been pointed at to subdue. This important capture was effected in consequence of the unceasing and unremitted pursuit and exertions of the detachment under the command of Capt. Fraser, aide-de-camp to the lieutenant-gen., during the most inclement weather, and with many privations, and which were rewarded by a division of that detachment, under the immediate command of Lieut. Wm. O'Neill, 83d reg., coming unexpectedly and by surprise on the residence of these and the third noted rebel Madugalle, and other inferior leaders, near to Parawahaganime, on the borders of the Seven Korles and Nieuvere Kalawe, on the 28th in the afternoon, after a fatiguing march of sixteen miles, when the party succeeded in making prisoners the two primary objects of their search, and the others, who have fled, may be expected either to surrender or be quickly made prisoners."

"G. O. *Head-quarters*, Kandy, Oct. 31.—Lieut. O'Neill marched about four A.M. on the 28th from Puliamcolom, with a detachment of about 30 men, to search the country in the neighbourhood of Parawahaganime. Having no particular information, after a march of four Cingalese miles he fell in with a rebel piquet, under a tree, who fled in different directions; one had a firelock, whom Lieut. O'Neill pursued, and after a chase of about 300 yards across a paddy field, when on the point of being seized, the fellow attempted to fire twice, but the piece missed fire.

"Lieut. O'Neill knocked him down with a stick he had in his hand, when he immediately exclaimed that Peleme Telawe was close by. Lieut. O'Neill then collected his detachment, crossed the paddy field silently, and surrounded a house near at hand, in which were actually assembled all the great rebels and their followers. The latter escaped, leaving 20 stand of good arms, a quantity of ammunition, and a bag of sulphur. On Lieut. O'Neill's entering the house, Keppetapola seized him by the hand, and announced his name twice, "Keppetapola! Keppetapola!" Peleme Telawe lay stretched on a

couch, lame, and ill of disease; Madugalle, who was in the room, and others whose names were given by Keppetapola fled; but Capt. Fraser, on joining Lieut. O'Neill the next morning, made the latter write to Madugalle, and he was expected to return. Keppetapola says he joined Peleme Telawe that morning, that he left Doombura 20 days before, and that they all intended moving the next morning to Pantawella, a village at four miles distance, within the seven Korles. Lieut. O'Neill speaks in the highest terms of the good conduct of his detachment; they were deluged with rain throughout the march, and had been without arrack eight days.

"The commander of the forces requests Capt. Fraser, and the officers and men of his detachment, will accept the just tribute of his cordial thanks for this distinguished and important service; and in communicating this gratifying intelligence to the troops, he directs that the usual extra allowance on days of rejoicing be issued on the day these orders reach the different stations of the army.

"Capt. Fraser, in transmitting to Lieut. Col. Hook, and remarking on Lieut. O'Neill's proceedings, mentions the high terms in which that officer represents the conduct of native Lieut. Cadce Bayet, of the 1st Ceylon regiment; and the Lieut. gen., to mark his desire of rewarding this native Malay soldier on so remarkable an occasion, is pleased to promote him to the rank of native captain in the same regiment, to be dated 28th October 1818. (Signed)

T. B. GASCOYNE, Dep. assist. adj. gen.

(A true copy.)

(Signed) H. BATES, Mil. Sec."

Demi-Official.

From the Colombo Gazette, Sept. 19.

During the latter part of this last week accounts have crowded upon us from all parts of the interior, with intelligence of the most joyful nature. In every province the people of all descriptions are hastening to submit, and to give the surest proof of their sincerity by the surrender of their arms. The delusion which had been so long employed to mislead the minds of the people is dissipated, for the king has been seized, his insignificance proclaimed, and his person secured in prison and in bonds; the main spring of every movement of insurrection is destroyed, for Kappitapola has been also degraded and confined. The truth of these important events, which in our last paper we could only venture to give as a report, confirmed by some circumstances of probability, is now established by concurring testimony from a variety of quarters, beyond all possibility of doubt. The seizure of the pretender

and his prime minister is of such decisive consequence, as indicated the total failure of all the designs of the insurgent chiefs, that we think a particular account of it will be far more interesting to the reader than any observations that we can at present offer. The following narrative was given to the hon. the Resident on the 14th, and we have selected it out of many reports, all agreeing in the main points, only because it is the most satisfactory and full. We give it nearly in the translation of the informer's own words:—"I am a mohandiram of musicians, and attended the king from Devatalawe to Dombera; he had been about eight days at Devatalawe, where he was joined by Kappitipola from Matele. On the 29th of Aug. they went together to Hatupatwelle, and were there met by Madugalle, late Uda Gabada Nileme, with a quantity of provisions, &c. It had been the king's intention to proceed from thence to Walapana, and probably to join Kiwulgedera, in Weyaloowa; but in consequence of the representations of Madugalle, that palaces had been built, and other preparations made to receive him in Dombera, he was persuaded to cross the river into that province. On the 30th ult. he went to Windamoone, on the 31st to Kiwulgemma, and on the 2d inst. to Mihavala Idawe. At all these places he received the prostrations of the chiefs and people of Dombera, and was treated with the usual respect and royal honours. On the 3d the office of second Adigar, and the Desavony of Matele, were conferred upon Madugalle. Kappitipola remained without any office, but went frequently to the palace, and did not appear to be in disgrace; he lodged in a house at some distance from the king, and had not many attendants. Most of the king's attendants in waiting retired at night to their respective lodgings. It was about midnight on the 5th inst. when the house of Kappitipola was first surrounded; he was seized, bound, and sent prisoner to Pitawala; and some time before day-light the palace was surrounded, and the king, receiving an intimation of his danger, attempted to make his escape, but was pursued, taken near the jungle, bound, and secured as a prisoner in the palace prepared for him at Mihavala. On the 6th Madugalle informed all the people who had come from other districts in attendance upon the king, that the person set up for a king by Kappitipola was Wisbawe, late a priest; that he had learnt the fact from Pelime Talawe, and had acted with his concurrence in making the usurper and Kappitipola prisoners, for their gross imposition on the people. They had all permission to retire to their villages. The informant immediately came away with several others.

The king had been accompanied into Dombera, by a few chiefs, and about 50

men armed with muskets, 10 or 11 gin-
10 or 15 loads of gunpowder, and about 15 loads of sulphur were carried in his train; the latter was dug up somewhere near Deyatalawe. It has been reported among the people, that Pelime Talawe and Madugalle meant to produce a new candidate for the throne, but when the late overtures made to government by Pelime Talawe himself, by the Ratamahatne and chiefs of Harispattoo, and by several others, are taken into consideration, it is very plain that this report is merely circulated to keep up their consequence and enhance the value of their submission. It is not likely, that after such a general failure they should be sanguine enough to expect that the people, dispirited as they are, would again submit to endure all the miseries and privation of such an unequal warfare for another phantom king, however his genuine royal descent might be vouched for by Pelime Talawe and his friends. The terms which they propose as conditions of their submission are, we believe, quite inadmissible; for the simple and dignified answer of government to them all is, "look at the conditions of the proclamation; by them, and them only, you must abide." Great numbers have submitted in different provinces, in consequence of the proclamation. In the seven korles arms are brought in every day in abundance. In Hewahetty, where only a few days ago, Capt. Cleather was so vigorously attacked, and his escorts so continually annoyed, all hostility has nearly ceased; and there is every prospect of that province, so remarkable for its rebellious spirit, being reduced to perfect submission. Major Coane has advanced to Materata, and the hon. the Resident is at Ganneywa. Capt. Dobbin, who advanced from Kotmale into Hewahetty, found the people in that quarter in the most friendly disposition.

In Wellassy every thing is perfectly quiet; but we are concerned to say the sickness at Katabowa still continues. Lieuts. Munick and Tranchell, with about 20 men, have been removed to Batticalao, and rain having again begun to fall, there is a hope of a favourable change in the atmosphere.

In our last paper we mentioned the capture of that notorious rebel the Bootawe Rateralle; we have since learnt a few particulars of his surprise, which do much credit to the sagacity of Major Coxon, and to the good conduct of the small party which carried his plan into execution. By setting a person to listen to the conversation of some of his prisoners, Major Coxon found out a person who was acquainted precisely with the retreat of the Rateralle, and by dint of threats and persuasions he induced him

to guide a party to the spot. A party of Malays was instantly sent off; eight of the most active and intelligent were armed only with knives, and so well disguised, that in the morning they were mistaken for Caudians. Serjeant Ootara commanded the party, and after a most fatiguing march, at twelve at night they reached the lurking place of the chief, situated in an almost impenetrable jungle in the Ouwa Wederatta, on the further side of Maragalla Kande. The guide contrived so completely to avoid all their watches, that the house was entirely surrounded before any alarm was given, and the whole family was secured without any casualty whatever.

BIRTHS.

- Aug. 20. At St. Sebastians, the lady of the Rev. Mr. Ward, of a son.
30. At Colombo, Mrs. Lourensz, of a son.
— At Trincomalie, the lady of Col. O'Connell, H.M. 73d reg. of a daughter.

DEATHS.

- Aug. 31. At Galle, Mrs. Parker, wife of J. C. Parker, Esq. of the Hon. East-India Company's service.
Sept. 2. At Matura, 9d Lient. Roberts, of the Sepoy Invalids, of a fever, caught at Kattragam, where he commanded, and had charge of the Commissariat Department.

PENANG.

DEATH.

July 27. Arthur Tegart, Esq. of the Civil Service at that Presidency.

MAURITIUS.

Advices from the Isle of France state that the ports of that island were to be opened to all foreigners in February last. Some severe gales of wind had been felt there the end of December.

CAPE OF GOOD HOPE.

The Cape Town Gazette of January 2, 1819, contains a curious and interesting account of an expedition from the Cape of Good Hope into the Caffre country, in order to support a faithful Caffre chief, named Gaika, and to punish a rebellious chief, named T'Sambie. This expedition was completely successful, reinstating Gaika in possession of his lands and property, and taking from T'Sambie near 11 000 head of cattle.

Want of room obliges us to defer giving the account at length.

HOME INTELLIGENCE.

PRINCE REGENT'S COURT.

March 18.—For the first time this season, and since the demise of her late majesty, the Prince Regent held a levee at Carlton House. Among the numerous presentations were: Maj.gen. Hall, on his return from the Mauritius; Mr. N. Edmonstone, on his return from India; Mr. H. Ellis, on his departure for the Cape of Good Hope; hon. Lient.gen. Sir C. Colville, G.C.B.; Maj.gen. Sir R. Blair, K.C.B. on his return from India; Lieut.col. Hamilton, on his appointment to the staff of Ceylon; Mr. Francis, to deliver up the jewel of the order of the Bath worn by the late Sir Philip Francis, deceased. Capt. W. Mitchell, of the hon. Company's ship Northumberland, had the honour of presenting to the Prince Regent, a loyal and affectionate address from Sir T. S. Raffles and the British inhabitants of Bencoolen, on the occasion of the lamented death of the Princess Charlotte, which melancholy news reached that settlement last March. Capt. Mitchell was also the bearer of one to Prince Leopold, which he forwarded to him Sept. last. There having been no levee since, prevented the one to the Prince Regent being sooner presented. We believe these are the first addresses that have been presented from any of our eastern possessions on this or any similar occasion.

EAST-INDIA HOUSE.

March 3.—A Court of Directors was held, when the following commanders took leave of the court, previous to departing for their respective destinations, viz.:—Capt. G. Weststead, Gen. Harris; and Capt. R. Rawes, Warren Hastings, for Prince of Wales' Island and China. Capt. J. Mills, Minerva; and Capt. T. M'Taggart, Rose, for Madras and Bengal. Capt. J. Wood was sworn into the command of the ship Marquis of Wellington, consigned to Bengal direct.

10.—A Court of Directors was held at the East-India House, when Capt. G. Tennant was sworn into the command of the ship Apollo, consigned to China direct.

15.—The dispatches were closed at the East-India House, and delivered to the pursers of the following ships, viz. Gen. Harris, Capt. G. Weststead, and Warren Hastings, Capt. R. Rawes, for Prince of Wales' Island and China; Rose, Capt. T. M'Taggart, and Minerva, Capt. J. Mills, for Madras and Bengal.

24.—A quarterly general Court of Proprietors, which was made special for a variety of purposes, was held this day. For the heads of the business before the court, and the debate on Mr. Wilkinson's claim, see p. 450.

LEADING MISCELLANIES.

We have the pleasure to announce that the Rev. Sam. Lee has been appointed the Arabic professor at the University of Cambridge, in the room of Mr. Rich. Palmer, resigned. Mr. Lee had been previously admitted M.A. of Queen's College Cambridge, by royal mandate.

The Rev. Hen. Harding, B.A., has been appointed chaplain to the factory of Canton, the Rev. Atwell Lake declining the appointment.

The Archbishop of Jerusalem sat for a short time on Monday night (March 22) in the strangers' gallery of the House of Commons. He was then introduced by Mr. Martin, of Galway, with the permission of the Speaker, to a seat below the bar. He was clad in oriental costume, and wore a large bushy beard.

John Taylor, Esq. of Stamford Hill, M.P. has accepted the Chiltern Hundreds, and is succeeded in the representation of Yarmouth, by Sir Peter Pole, Bart.

Dates of commissions borne and great offices filled by his Grace the Duke of Wellington; also of his orders of knighthood, and steps in the peerage.

Hon Arthur Wellesley.

Ens. 73d foot	7th Mar. 1787
Lieut. 76th	25th Dec. 1787
Do. 41st	23d Jan. 1788
Do. 12th dragoons	25th June 1789
Do. 24th dragoons	31st Oct. 1789
Capt. 58th foot	30th June 1791
Maj. 33d foot (by purchase)	30th Apr. 1792
Lieut.col. 33d (do.)	30th Sept. 1793
Brev.col.	3d May 1796
Maj.gen.	29th Apr. 1802
Hon. Sir A. Wellesley, K.B. in 1804.	
Col. 33d foot	30th Jan. 1806
Lieut.gen.	25th Apr. 1808

Viscount Wellington.

Gen. in Spain and Portugal	31st July 1811
Earl and Marquess in 1812.	
Col. of royal horse guards	1st Jan. 1813
Field marshal	21st June 1813
Duke and K.G. in 1814.	

Mast.gen. of ordinance ..	1819
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ERRATA.

- No. 39, p. 321. col. 2.
L. 36. For *Morshedabad* read *Moradabad*.
— 49. — *Tyaz* read *Fyaz*.

COMMERCIAL NOTICES.

March 12.—In consequence of the great fall in the market for raw cotton, expresses have been sent from Liverpool overland to Calcutta, in order to countermand, as speedily as possible, any further shipments of that article. An absolute engagement is said to have been entered into by the persons bearing the expresses, to deliver them, allowing for accidents to life or limb, in three months from the date of leaving England.

The languor in the demand for merchandize which has been imported to an immeasurable excess, extends to other East-India goods of which the supply depends on the discretion of individual speculators, and the comparative value on the ability of a few to bear up against the depression which disposes many to accept a mitigated loss, as the best resource that the state of the market affords. It is believed that several large holders, who look to a rise in the demand, have preferred raising money to make payments, either by selling out of the public funds, or by depositing the goods as security for loans.

A correspondent states, that owing to the low price of Bengal cotton-wool, and the rapid improvements in machinery, our manufacturers at Manchester and Glasgow are enabled to supply the East-India market with the inferior descriptions of cotton cloths at a cheaper rate than the Asiatic natives themselves; and that immense shipments of the manufactured article will probably be made to that quarter during the present year. On the other hand, nearly 100,000lbs. of nutmegs and cloves alone have been re-shipped within the last two months for the Indian market.

The Amity, which has arrived at Liverpool from New York, has brought considerable remittances, and some extensive orders, to some of the first houses in Lancashire and Yorkshire, particularly for fine broad cloths; but the coarse and inferior kinds are quite unsaleable, at any price, in the American markets, which are represented in these letters as completely glutted with our common fabrics. Cotton wool is so low in the American markets, that the principal planters in many districts have come to the resolution of decreasing the quantity grown by them for a given time.

MINOR MISCELLANIES.

March 20.—Arrived in town, from Deptford, sixteen of the finest horses that could be procured in the king of Persia's dominions. Their last embarkation was at Calais, whither they had been brought overland from Marseilles. They are accompanied by the king of Persia's head groom and twelve under-grooms; and on the arrival in London of the Persian ambassador they will be presented to his royal highness the Prince Regent.

The Baring convict ship, which was so frequently referred to in the debates of the House of Commons, arrived at Madeira on the 10th of February, in thirteen days from the Downs, with all the convicts, passengers, troops, and crew, in the highest state of health and order, and immediately continued her voyage to New South Wales.

MILITARY AND NAVAL REINFORCEMENTS.

March 13.—Upwards of 150 men of the hon. East-India Company's artillery and infantry marched from Chatham to Gravesend, to embark for India.

March 21.—The David transport arrived from St. Helena, with invalided soldiers from the 66th reg. She had a long passage.

March 27.—The Nautilus, Capt. Chapman, will be ready for service in a few days, and will proceed to join the squadron at St. Helena.

The 11th and 13th regiments of dragoons were embarked in the *Streatham* and *Gen. Kyd*, two ships of the hon. Company's fleet, which lately sailed from Portsmouth.

The East India Company's ship, *Earl of Balcarras*, arrived off Shoreham on March 26, and 27 in the Downs. She left China, with the *Orwell*, on the 18th of Nov., but they parted company in the night of the 24th of that month. The *Balcarras* arrived at St. Helena the 4th, and sailed from thence on the 7th Feb. She left in China the undermentioned ships, viz.:—*Buckinghamshire*, *Canning*, *Marq. of Huntley*, *Duke of York*, *Thos. Coutts*, *Scauby Castle*, *Lady Melville*, *Perseverance*, *Princess Amelia*, and *London*.

The extra ship *Lady Lushington* is also arrived in the Downs: she left Bombay about the 20th October.

CONTINENTAL NOTICES.

Feb. 19.—The Persian Ambassador, now at Vienna, continues to view every thing worthy of inspection in that capital. He was lately at the theatre, to which an immense crowd was attracted in order to see him. It seems this assemblage of gazers became intolerable to his excellency in one of the saloons, where, to the astonishment of the Austrians, he and his suite began to lay about them on all sides among those who surrounded them.

According to an article in the Vienna papers, the Persian Ambassador has not satisfied the appetite for presents which the ideas entertained in that capital of oriental magnificence had excited. He ordered to be distributed among the domestics of the court, and those of Prince Metternich, the sum of 100 florins. The Aulic Counsellor, Hammer, who accompanied him every where during his stay at Vienna, received, as the reward of his services, a lean horse, and one of his excellency's greasy cast off shawls! The wits of Vienna have remarked, that if the horse was lean the shawl at least was fat enough.

The Persian Ambassador arrived at Paris on the 6th of March.

Extract of a letter from Paris, March 22 :—" You will have heard of the ridiculous obstacles which on Saturday prevented the reception at the Thuilleries of the Persian Ambassador, who is on his way to your court. He had got it into his head that the King should stand up in his presence, and in that posture receive the letter which his master had commissioned him to give to his Majesty. After this difficulty was got rid of, by reason of the gout under which his Majesty at present labours, the Persian insisted that he must sit beside his Majesty; afterwards, at least, in front of him; maintaining, that otherwise he should certainly have his head cut off on his return to his own country. As there was no wish to expose him to a danger of this sort, it appeared the simplest plan to dispense with the interview altogether.

Paris, March 24.—The departure of the Persian ambassador is not yet fixed, though it was announced in one of the journals that he had received his passports. His Exc. devotes his time to an inspection of the monuments and public establishments, by which this capital is embellished. On Monday he visited the Repository of Arts and Manufactures, where he passed nearly two hours; and then proceeded to view the Elephant's Fountain, at the extremity of the Boulevards. He made some just observations on the design of the monument, but principally on the model of the elephant. In returning from his promenade he passed over the Pont-Neuf, and stopped for some time before the statue of Henry IV, which he seemed to view with much pleasure and interest.

" *Rome, Feb. 27.*—Four individuals have left this city for the island of St. Helena:—Doctor Vitelli, a young physician of eminent talents, a native of Corsica (he is a priest); Professor Automar-chi, surgeon, hitherto attached to the University of Piva; the Abbe Bonavista, a priest, aged sixty-nine years, a native of Corsica, and attached to the Princess Borghese—he is nominated Apostolical Missionary, on the part of the Congregation of Propaganda fide, to officiate as almoner to the catholic colony of St. Helena; and, lastly, a cook for Buonaparte's household. These individuals are furnished with passports from the English ministry, and are gone to Ostend. They have bound themselves not to quit the island of St. Helena so long as Buonaparte shall live, unless the English government shall think proper to remove them. The care of sending out a priest is particularly due to Cardinal Fesch, who, having recommendations from the Holy Father, addressed himself to Earl Bathurst."

DEBATE AT THE EAST-INDIA HOUSE.

*(Continued from Page 411.)**East-India House, 24th March 1819.*

A quarterly general court of proprietors of East-India stock, which was made special for a variety of purposes, was this day held at the Company's house in Leadenhall-street.

[We regret that the lateness of the month and length of the debates on the 4th and 19th Feb., given in the preceding part of our Journal, page 365 to 411, prevent us from inserting in our present number the whole of what occurred on this occasion; but as Mr. Wilkinson's case stands over for further consideration until the 21st April, and it is important that the public should be put in possession of all the facts connected with it, we have thought it best to publish that part of the proceedings of the general court which is connected with his claim, and to postpone the report of the debate on the early part of the day till our next number.]

MR. WILKINSON'S CASE.

The *Chairman*—"I have to acquaint the court that it is made special for the purpose of laying before the proprietors, for their approbation, a resolution of the court of directors of the 17th ult. granting to Mr. Jas. Wilkinson, under the circumstances therein stated, the sum of 75,000 Sic. rs., at 2s. the current rupee, with interest thereon, at 6 per cent. per ann., from the 11th Oct. 1816 to the day when payment shall be made." The *Chairman* then moved that the report of the committee of buying and warehouses, dated the 27th Jan. 1819 be now read.

The report was read accordingly. In it the committee took a view of all the circumstances of the case as detailed in the documents sent home from India, which it is unnecessary for us to follow, as they are set forth in Mr. Wilkinson's address to the court of proprietors. The committee of buying and warehouses conclude their report by saying: "Your committee having examined all the papers referred to them, which involve a case of great difficulty, are of opinion that the Governor-gen. in council did no more than he had a right to do in renewing the monopoly of the saltpetre trade, in May 1812; but that the authorizing a commercial monopoly so soon after the trade was thrown open, when it could not be known to those whose interests it was likely to af-

fect, tended to injure persons who had embarked in the trade. Though your committee decidedly reject any claim of Mr. Wilkinson on the ground of right, they are of opinion that he had a strong and undeniable claim for some compensation, as is stated in the minute of the Governor-gen. The question then is, what sum is to be fixed as the amount of such compensation, bearing strictly in mind the equity of the case. They think, under all the circumstances, that the sum awarded by the board of trade on the 11th Oct. 1816, namely 75,000 Sic. rs., is fully sufficient, and not larger than the merits of the case require. They are also of opinion that Mr. Wilkinson should be allowed interest at the rate of 6 per cent. per ann. from Oct. 1816 to the day on which payment is made, and that the said sum shall be taken from the Company's commercial funds, at the rate of 2s. the Sicca rupee."

"At a court of directors, held on the 27th of Jan. 1819, the above report of the committee of buying and warehouses having been read, it was resolved, that the said report lie on the table until this day three weeks."

"At a court of directors held on the 19th of February 1819, the said report being read, together with the undermentioned papers, namely, a report of the committee who had investigated Mr. Wilkinson's claims, and a letter from the Company's solicitor, stating it as his opinion that the grounds on which Mr. Wilkinson's claim rested did not present any legal right rendering it compulsory on the Company to allow it, and therefore, that any allowance that might be made to him depended on the general court, and the commissioners for managing the affairs of India; it was moved and after a debate of considerable length, resolved, that we approve of the report of the committee of buying and warehouses. Signed by the deputy chairman, Mr. Inglis, Mr. Reid, Mr. Robinson, Sir John Jackson, Mr. Perry, Mr. Clarke, Mr. Money, Mr. Cotton, &c."

Protest, signed by the chairman, Mr. Elphinstone, Mr. Huddart, Mr. Bebb, Mr. Campbell, Mr. Taylor, &c.—"We dissent from the resolution approving of the grant of 75,000 Sic. rs. awarded on the 11th of October 1816, because Mr. Wilkinson did not appear to have sustained any positive loss. He had, it seemed, entered into a speculation for five years, the profit to

be derived from which must, under all the circumstances, have been subject to the operation of contingencies. Had any precise loss been sustained by him in consequence of the regulation of the Bengal government, we might have deemed it proper, on the score of liberality, to have granted him compensation, but we never can consent to compromise the rights of government by the admission of claims inconsistent with such rights. A decisive loss is not, however, even mentioned. The fair inference is, that Mr. Wilkinson had diverted his capital to other speculations when the monopoly was renewed, which appears indeed to have been the fact. The political far exceeds the civil importance of this question. The reasonings of the committee to which the Bengal government had referred the case appeared to be altogether unfounded; and the adjudication, by the board of trade, of 75,000 Sic. rs., rests on data that are evidently erroneous. The granting interest on a boon is perfectly novel, and in fact seems to involve an admission that it is a claim of right."

The *Chairman*—"I have to move that this court approve of the resolution of the court of directors, granting to Mr. James Wilkinson the sum of 75,000 Sic. rs. at 2s. the current rupee, with interest thereon of six per cent per annum, from the 11th October 1816 to the day when payment shall be made. I may be permitted to observe that I move this merely as the organ of the court, having, as the proprietors must perceive, dissented from the resolution."

Mr. *Noel*—"Permit me, sir, to introduce to the court the individual whose case is now laid before the proprietors, a gentleman whom I am proud to call my friend, a gentleman whose unmerited misfortunes have made me his friend. I am confident that the best mode of proceeding will be, to hear from himself a statement of all the circumstances of this transaction; after which, it may perhaps be proper, in order to give the proprietors an opportunity of making themselves masters of the various bearings of the case, to move for an adjournment of its farther consideration for a short period."

Mr. *Wilkinson*, evidently much agitated, immediately rose, and addressed the court as follows:—"It is with unfeigned diffidence that I rise, for the first time in my life, to address so numerous a body, on a subject in which my individual interests are so deeply implicated; but when I look throughout this court, and find myself surrounded on every side by the most learned, liberal, and enlightened men, whether as legislators, statesmen, or merchants; when I recollect that among those whom civil avocations or military par-

suits may be supposed to have rendered less competent judges of the question this day at issue, there are many to whom the high and unimpeachable characters of the Bengal committee must be intimately known, and that the proprietors at large are no less remarkable for the justice of their decisions than for the wisdom and energy with which they support them; to doubt the patient and impartial hearing of my auditors were to impugn the justice of my own cause, and to join in that reflection which, with the utmost deference to its authors, I lament to have seen cast upon the judgment of those who were selected by the highest authority in India for the investigation of the matter now before you.

"Whatever may be the result of this day's discussion, gentlemen, I hail with unmingled satisfaction the approaching termination of that anxiety and suspense to which I have now been subjected for nearly seven years; and if arguments could be requisite to demonstrate the impolicy, the cruelty, and the injustice of these perpetual references, they would be abundantly furnished by this melancholy fact, that of the public functionaries mentioned in the voluminous documents submitted to your perusal three are no longer within the reach of human appeal, whether to palliate errors or to defend opinions. One of these, alas! is the late Mon. Archibald Seton, than whom India boasted not a brighter ornament nor humanity a more exalted character; one in whom all the endowments of a vigorous intellect were so tempered by gentleness of manner and the spirit of universal benevolence, that those who best knew him were at a loss which most to admire, the depth and extent of his various information or the amenity with which it was imparted. (*Hear, hear!*) He was also a man whose nice sense of honor and scrupulous integrity were equally conspicuous, both in public and private life; and I feel that I shall be forgiven this imperfect tribute to the memory of one who no longer lives to illustrate, by his eloquence, that luminous and statesmanlike view of the question this day at issue, which, as a member of the supreme council, he was pleased to record on the proceedings of the Bengal government.

"Mr. Chairman, with the permission of this court, I shall now beg leave to read an analysis of this case, which, with a view to its being more generally understood, I took the liberty to publish; and as copies are probably in the hands of many who now hear me, and who have perused with attention the voluminous documents therein referred to, this method will afford an opportunity to every

proprietor to notice that which he conceives to be mistated. I beg leave, however, solemnly to pledge myself for the truth and accuracy of the statement, as far as my ability enabled me to comprehend the various facts it notices.

"The Bengal government had for a long period enjoyed a virtual monopoly of the saltpetre manufactured within its own districts. In the month of May 1811, repeated representations having been made of the vexatious interference to which individuals were subjected in consequence of this monopoly, the vice-president in council, referring to the proceedings of the governor general in council of the 16th November 1810, wherein it was declared, "that the monopoly of saltpetre was not at all necessary, and that the imposition of any extraordinary restrictions upon the manufacture or sale of that article might be attended with prejudicial effects," caused all the irregular restraints to which this trade had been liable to be taken off and declared the same to be perfectly free. I was at this time a merchant, residing, with the sanction of government, in the district of Goruckpore, and had been for a considerable period extensively engaged in the saltpetre trade. Taking a legitimate advantage of my situation, and contemplating a greatly increased demand for the article on the general opening of the trade with India, which was confidently anticipated by all commercial men on the renewal of the hon. Company's charter, I entered into certain contracts with a number of nooneahs, or manufacturers, for 55,000 maunds of saltpetre for five years, under penalties for non-performance of 20,000 rupees per annum, as is recorded in the correspondence on the subject, and expressly admitted in the minute of the board of trade. The prices to be given for the saltpetre, *viz.* one rupee and seven annas per maund in its unrefined, and four rupees per maund in its refined state, was 70 per cent. more than those of the commercial resident at Patna. In May 1812 the Bengal government thought proper to rescind their previous resolutions of November 1810 and May 1811, and declared the free trade of saltpetre at an end, by a regulation of 1812, which, though establishing for the first time by legislative enactment a most vigorous monopoly, made no provision for the completion of existing engagements, but effectually abrogated all relative contracts between parties, and consequently put an end to mine. I regret that this regulation has not been submitted to the court; I have repeatedly asked for it, but could not procure it. I was anxious that the proprietors should have an opportunity of perusing it, as a reference to it would

at once put the court in possession of the penalties attached to its infraction, and shew, that after its promulgation, all interference of private individuals with the saltpetre trade was most strictly prohibited. I felt it necessary, under these circumstances, to call the attention of government to my situation in Sept. 1812; I did not prefer a pecuniary claim, but proposed to be permitted to continue my contracts (the originals of which were transmitted to government) and to deliver whatever saltpetre I might realize from my legal engagements throughout the five years to the hon. Company, at an advance of twelve annas per maund, being about one-third of the market price. Such was my respect for the government under which I resided, that, without remonstrance, I made this proposition; and was ready to accept of a very small advance in lieu of the immense profits which I must have realized if I had been permitted to go on with my contracts. I solicited, at the same time, the early attention of government to this proposal, as the season for making advances was at hand. This offer was then considered by Mr. Leicester, whose name it is only necessary to mention in order to ensure respect for his opinion, 'as a very modified and advantageous mode of relieving the several interests concerned, and which are ever liable to be endangered on the introduction of a new monopoly.' This proposition was, however, after the lapse of nearly six months, declined on the recommendation of the board of trade; and I beg your particular attention to the reason assigned by that body for refusing my offer: it was this—'That the Company's reduced annual demand for saltpetre might be supplied by means of their own agents at a rate considerably lower.' Again, they say in the same letter, 'as however the demand for the article on account of the Company is considerably reduced, we are of opinion that it may not be objectionable to permit Mr. Wilkinson to conclude his engagement, upon giving proper security for not permitting to be manufactured a larger annual quantity of saltpetre than that for which he has engaged, nor to employ any person in the provision who is in balance to the Company.' A communication to this effect was made to me by a letter from the board of trade, dated the 12th of March, 1813; but although it was obviously necessary, to enable me to comply with the above requisitions, that the nature and amount of the security required should be distinctly defined, and that I should be furnished with a list of the hon. Company's debtors, not the slightest information on either subject was afforded by the letter in question. In that letter Mr.

Secretary Plowden merely says, 'I am directed by the board of trade to call upon you to furnish the security required by government.' I have, Mr. Chairman, been accused of indifference, but it is merely necessary to look to dates to prove that the assertion is unfounded. I received the letter of the secretary of the board of trade, on the 26th of March, and to both of these essential points I called the attention of that body on the very next day. I requested 'that, for the purpose of facilitating my compliance with the requisitions of government, I might be furnished with such means as the board might deem adequate to enable me to ascertain what persons were in balance to the Company, and, at the same time, be informed of the nature and amount of the security required.' I also pointed out that in my first application, six months prior, I had taken the liberty of soliciting the early attention of government to the proposal, as the season for making advances to the manufacturer was at hand. I intimated, at the same time, that the 'board had overlooked the most material portion of my contracts, *viz.* those with the *nooneahs* or manufacturers complained of the loss I had already suffered by the lapse of one season, *viz.* from October 1812 to March 1813, and prayed that they would represent the hardship of my case to government.'

On the 28th of May, the board of trade (having been under the necessity of making a second application to government, relative to my engagements with sundry *nooneahs*, which 'had escaped their notice' in the first instance), replied to me, that 'they saw no reason for recommending my claim for compensation to government;' that 'they had instructed the resident at Patna, in consequence, he it remembered, of my suggestion, 'to furnish me with a list of the *nooneahs* in balance to the Company,' but that 'they suspended their determination as to the amount of the security to be required from me, until a reply should be received to the reference that had been made to the revenue department.'

This letter was not received by me till the 23d of June; and thus, after the total loss of one season, and the lapse of nine months, during which the slightest shadow either of negligence or indifference cannot be imputed to me, as, on every occasion, I had strongly urged the necessity of early attention, and pointed out the ruinous consequences of delay, I was left in absolute ignorance of those particulars, which, under the existence of the monopoly, were indispensable to the pursuit of my speculation, and I remained perfectly unacquainted with the nature of those securities which a pub-

lic body, through the medium of their secretary, had called on me to furnish. The rainy season, namely from July to October, during which no advances are made and no saltpetre can be manufactured, was passed by me in the anxious expectation of deriving from the board of trade the necessary information respecting the security, about which I knew that board was in correspondence with the revenue department. I also hoped to receive from the resident at Patna, so soon as prepared, the list of the *nooneahs* in balance. About the latter I was however less solicitous, as it was of course useless to me until the necessary security, which was the *sine quâ non* of the government, was defined and regularly furnished. A second season for the manufacture of saltpetre was now approaching, and judging from my past experience how little prospect there was of obtaining by letter the speedy termination of my difficulties, I resolved, though to the infinite detriment of my other commercial concerns, on incurring the expense and inconvenience of a journey to Calcutta, a distance of 500 miles, in order to solicit in person, from the board of trade, that information which I had hitherto failed in procuring, notwithstanding my most strenuous efforts. I did take this journey of 500 miles; and I the more particularly request the attention of the court to this fact, because, at the very period when I abandoned commercial business of great importance in order to proceed to Calcutta, it was most unjustly said that I remained passive. I was led as much by the opinion of my agent as by my own view of the subject to undertake this journey. I accordingly set out from Goruckpore in the middle of November, and arrived at Calcutta the 24th of December; but not having been able to obtain any satisfactory result from representations made by me in person to Mr. Plowden, as well as to the members of the board of trade individually, and also to Mr. Ricketts the then secretary to government, I, on the 4th of January 1814, addressed a letter to Mr. Secretary Plowden, in which I respectfully solicited the attention of the board of trade to the situation in which I was placed, and the very heavy losses which I had already sustained! I pointed out in detail the causes and extent of these losses, stated that a second season was passing away, and was indeed nearly over, yet that I was still without the information which could alone enable me to take advantage of the permission of government; and I concluded by entreating the board of trade to furnish me with those particulars which were indispensable to the future completion of my engagements, namely, the nature and

amount of the securities which were required of me. I remained in Calcutta for the express purpose of effecting this object for nearly six weeks; during which time I was in the habit of frequent conversation with the secretary and members of the board of trade. I however received only vague and unsatisfactory assurances that my case would be properly attended to, and I returned to Goruckpore in perfect ignorance of the nature and extent of the securities which I was to furnish, although information on this most essential point might have been given to me at any hour of the day during my residence in Calcutta. One reason assigned by Mr. Le Gros, the commercial resident at Patna, for not furnishing the list of *nooneahs*, was, that he was ignorant of my place of residence. Now although I was an humble individual, and not in the service of the Company, yet, having been in India for twenty years, and a register containing the names of European residents being regularly published, there could be no doubt but that a reference to that register would have at once apprised Mr. Le Gros of the place at which I was to be found. A worthy proprietor now on the floor, who at this period held a high situation at Patna, could state to the court whether any one individual there could be ignorant of my place of residence. It was in his power to state whether the surgeon of the station, or the officers of the army who resided there, could not have immediately furnished the resident with that information which he had affirmed it was impossible to procure. I will not at present obtrude on the court by stating at length what other reasons might have induced the resident not to furnish the list of the *nooneahs* in balance to the company; but I thought it necessary to notice the extraordinary statement that he knew not where to forward such lists. Having returned to Goruckpore, I leave it to the court to imagine what my astonishment was when I discovered that at the very moment when I was in Calcutta, and in the habit of seeing the secretary to the board of trade, and soliciting in person and by letter information with respect to the securities which I was to furnish, he, the secretary, by a letter dated the 20th of Jan. 1814, called on the resident at Patna to take the necessary measures for obtaining from me full and sufficient security, that I should not permit to be manufactured a larger quantity of saltpetre than that for which I had engaged, nor employ any person in the provision who is in balance to the Company. Would it be believed, that at this late period the security, which on three different occasions I requested to have explicitly defined, was not even known

to the resident himself. He was desired by the board of trade to demand securities from me, of the nature and extent of which he was not himself apprised, although it appears, on examining the correspondence, that an answer to the reference, on which the nature and amount of security were said to depend, was received by the board of trade so early as the 3d Dec. 1813. In the month of Feb. 1814 I returned to Goruckpore, having failed in my endeavours to obtain a decisive answer from the board of trade. About this time the monopoly ceased by legislative enactment, regulation 4 of 1814 having repealed all the clauses of regulation 8 of 1812. To me, however, no communication was made on the subject; and I remained for some months in ignorance even of this most important circumstance. In the month of March 1814 I was again called on by Mr. Le Gros, in conformity with the above-mentioned orders of the board of trade, to give to him at Patna 'full and sufficient security, &c.' Throughout the whole period of my stay at Calcutta I was unable, notwithstanding my earnest and repeated solicitations, to obtain any definition of the nature and amount of the security required of me; I could therefore only reply to Mr. Le Gros, that as these points were left undefined by the board, I judged it necessary again to address them on the subject. On the same day, viz. the 17th of March 1814, I once more wrote to the board of trade, and (in reference to the letter of Mr. Le Gros) stated 'that it would be attended with considerable inconvenience to me, residing in Goruckpore, to give security in another district; but that I would most readily furnish security in Calcutta to any amount the board might require;' I pointed out the ruinous consequences to which I had been exposed by their delay, and used every argument my imagination could suggest to induce the members to furnish me with the requisite information. I also again entered into a detail of my losses, and of the peculiar circumstances in which they originated, and urged them to submit my case to government. On the 20th of April 1814, while I was still in utter ignorance of the monopoly having been rescinded, I mentioned, in a letter to the secretary of the board of trade, my having received from Mr. Le Gros, on the preceding day, the lists of the *nooneahs*, and after an allusion to the delay that had occurred, and to my subsequent losses, I concluded with these words: 'I beg leave again respectfully to urge that these losses are daily increased by my being kept in ignorance of the nature and amount of the security to be furnished.' These letters were equally unsuccessful

with all the preceding ones in eliciting any reply from the board of trade, who were impenetrably silent on this important subject. If any reply were returned to my applications it must appear amongst the documents submitted to the proprietors for their inspection, but I am sure that gentlemen will look in vain for any document of that nature. I wrote to the board of trade on the 4th of Jan., on the 17th of March, and the 20th of April, but to no one of my applications did I receive the semblance of an answer. Thus was I compelled to witness the lapse of a second season of manufacture, and the last of the monopoly, in complete ignorance of the nature and amount of that security which the board had thought proper to demand as the *sine quâ non* of my being permitted to complete my engagements. That I wished and anxiously exerted myself to become acquainted with the nature and amount of those securities, is I think amply proved by the fact of my having travelled 500 miles at very considerable expense and inconvenience, in order to procure the requisite information. From the period to which I have just adverted all public correspondence on the subject ceased; but I had repeated assurances from the secretary to the board of trade, communicated to me through my agent, that they considered mine to be a case of singular hardship, that it should receive their most serious attention, and that they were willing to remunerate me for the loss I had sustained by a prospective contract. In this state matters remained until the month of March 1816, when I again addressed the board of trade, and recapitulated my claims and losses, urging, with as much force as I possibly could, that the latter were increased and aggravated by the prolonged neglect of my representations, and still more so by my utter inability to compel (for reasons which I gave in detail) the fulfilment of my contracts after the cessation of the monopoly. My claims to the consideration of government I rested on the following grounds:—

1st, That having, under an explicit declaration on the part of government, in 1811, that the trade in saltpetre should be free, contracted prospectively for the acquisition of 275,000 maunds of saltpetre, my losses originated from the enactment of a rigorous and unlooked-for monopoly in 1812, which, as it made no provision for existing engagements, most effectually annulled them, and thereby occasioned to me a loss exceeding 400,000 rupees.—2d. That the extent and legality of the engagements which I had entered into prior to that monopoly were fully admitted, and the completion of them, under certain restrictions, sanctioned by the authority of the rt. hon. Lord Minto,

the then Governor-gen. in council.—3d. That the restrictions which were suggested by the Board of Trade, were such as the Board of Trade alone could enable me to comply with, by informing me of the nature and amount of the security they required, and furnishing me with a list of the manufacturing debtors.—4th. That the nature and amount of the security required by the Board of Trade, though so urgently and repeatedly solicited by me, under an offer of immediate compliance, were never communicated; nor the necessary lists furnished, till the monopoly itself had been rescinded.—5th. That by these means, and from the necessary operation of causes over which it was impossible for me to exercise the slightest control, the express sanction of the highest authority in India was rendered nugatory, and I was deprived of the benefits which must have resulted from the unshackled and uninterrupted completion of my engagements.—6th. That the amount of my loss was proved beyond the possibility of doubt by a reference to the extent of my engagements, and to the ascertained prices of the article of saltpetre, both in the Calcutta and London markets, as well as by Messrs. Palmer and Co's account sales of the small portion I had been enabled to consign to them.

Having thus enumerated the grounds on which I thought myself entitled to compensation from government, I expressed my "willingness to submit the decision of the amount of my losses to the arbitration of any house or houses of agency whom his Exc. the Governor-gen. in council, or the Board of Trade, might think proper to nominate for that purpose."

I solicited no voice in the nomination of the persons to whom my case should be referred; I was indifferent on that point, because my claim appeared so clear, that I felt, were it once investigated, it must be successful. This appeal, however, preferred in March 1816, produced no answer from the Board of Trade. In consequence, I resolved on relinquishing all my commercial pursuits at Goruckpore, and for the second time undertook a journey of 500 miles to Calcutta, perceiving that I had no chance of bringing this matter to an issue by mere correspondence, and fully impressed with the feeling that my cause could not succeed unless it was laid before the Governor-gen. in council. I arrived in Calcutta in September 1816, and in the following month the Board of Trade forwarded the whole of the correspondence to government. They did this without having any communication whatever with me, and without furnishing me with a copy of the voluminous minute which was sent up along with the correspondence to government. In that minute, I have since learn-

ed (for I was at the time refused a copy of it), the Board of Trade combated the reasoning adduced by me in support of my claim, accused me of having exaggerated it, stated the case hypothetically in a variety of ways, but finally concluded by recommending it "to the liberal consideration of government; for, with reference to the nature of it, they thought themselves precluded from recommending the decision of it to arbitration," as I had suggested.

Such were the circumstances under which the rt. hon. the Governor-gen. in council, "with a view of obtaining every possible information, and adopting such measures as appeared most likely to afford a satisfactory result," resolved, on the 29th of Dec. 1816, to refer the whole of the matters at issue to a committee, consisting of five gentlemen of the highest respectability, of whom three were covenanted servants of the hon. Company and the other two merchants long established in Calcutta. In the nomination of this committee, which, to quote the language of Mr. Secretary Trotter, in his letter of instructions, was appointed to investigate "a case of the utmost importance and interest, whether viewed with reference to the hon. Company or to Mr. Wilkinson," the individual, whose interests were so expressly acknowledged to have been equally at stake with those of the hon. Company, was not at all consulted; nor was he even officially apprised of the appointment of those gentlemen who were thus constituted his judges by the very party from whom he solicited redress. To the committee nominated in this manner all the documents and correspondence connected with my case were forwarded; together with the minute of the board of trade and a letter of instructions from the secretary to government, for their information and guidance. I do not mean to dwell on what the tenour of those instructions was, but I may be allowed to observe, that as far as I was concerned this proceeding was altogether *ex parte*. The document A. of the board of trade I never saw, and I knew not whether it might not have contained matter highly prejudicial to my interests. I was anxious, when such a committee was about to be appointed, to have had the nomination of one of its members. The propriety of this I suggested, but my suggestion was immediately declined. The committee it was evident was of *ex parte* formation. I was not in the slightest degree consulted, nor was I in fact personally known to the very individuals who were thus to sit in judgment on a case, as was admitted by Mr. Secretary Trotter, involving as much the interests of the hon. Company as it did my own. The investigation into which

this committee so appointed entered, occupied no less a period than five months, at the end of which time they furnished the Governor general in council a report, of which, gentlemen, you have all, I believe, seen copies. Here, Mr. Chairman, I hope you will allow me once more to draw the attention of the court to the gentlemen of whom this committee consisted. They were Charles Bayley Esq. (a civil servant), reporter general of external and internal commerce; Henry Wood, Esq. (a civil servant) civil auditor and accountant to the board of revenue; Robert Compton, Esq. a barrister of the supreme court, and junior counsel to the hon. Company; George Cruttenden and David Clarke, Esqrs. merchants of high respectability and leading members of the firms they belonged to. Those gentlemen, in the conclusion of their report say, "we have severally and deliberately perused the whole of the documents referred to us, previously to communicating with each other on the subject; we afterwards met in committee on four occasions, and required Mr. Wilkinson to furnish further information on points which required explanation; we have given to the suggestions contained in Mr. Secretary Trotter's letter, to the statements and opinions of the board of trade, and to all the arguments that have been urged for and against the claims of Mr. Wilkinson, on best and most impartial consideration; and we are clearly and unanimously of opinion Mr. Wilkinson has an equitable claim to compensation from government." Here I wish to observe, that my claim went to this committee expressly as a claim of equity; for in the letter of instructions of the Governor general in council, addressed to the committee, his lordship explicitly states that it was clear "there could be no claim in law." The committee conclude by stating, "that the lowest compensation which we should have been disposed to give Mr. Wilkinson, if the matter had been left to us as arbitrators, would have been the profits that he might have realized, during the two years of the monopoly, with interest at eight per cent. and 60,000 rs. the amount of the penalties for the last three years of Mr. Wilkinson's contracts; making the sum of 2,88,800 Sicca rupees." But when the committee declare this to be the lowest compensation they could think of giving, they sent a schedule to government, which clearly demonstrated that, if I had been allowed to proceed with my contracts, I must have realised upwards of £80,000. It has been remarked that the committee have made no deduction on account of possible contingencies. This is very true; but it should also be recollected that they had left out of their calculation the very

large profit which I must have, if even a small part of the contracts of 1814 and 1815 had been regularly sent home. I can clearly shew that the profit for one season out of five for which I had contracted, had the saltpetre been regularly sent to this market, would have produced me no less a sum than £60,000. I was subsequently informed, by a letter from the secretary to the board of trade, "that on a full consideration of the circumstances of the case, his lordship in council had determined to refer the case for the consideration and orders of the hon. the court of directors."

Against this cruel prolongation of the suspense to which I had then been subjected for five years, and against the increased expense, anxiety, and inconvenience to which I was thus exposed, by the necessity which this determination involved of my proceeding with my family to England, I strenuously, but ineffectually remonstrated, in a letter addressed to Mr. Secretary Trotter, of which I respectfully solicit the attentive perusal. Such, Mr. Chairman, are the leading features of my case; and if I may be allowed, I will endeavour to sum up its merits in a few words.

As sovereigns and legislators, the Bengal government, in 1810-11, declared the trade in saltpetre to be free, and thereby encouraged individuals to engage in it. No sooner, however, had I embraced the opportunity, than, in 1812, the same government, in their capacity of merchants, and with a view consequently, not to political advantage, not the welfare of their subjects or the state, but solely to commercial profit, enacted a most rigorous monopoly, from whence they derived (by the acquisition within two years of 143,166 maunds of saltpetre beyond their usual average quantity) that advantage which, in strict justice, belonged to me, and which was secured to me by the most peremptory and legal engagements; thus at once sweeping away, by an *ex post facto* law, the fruits of that foresight, labour, time, and industry, which are the legitimate sources of a merchant's wealth, and to the exercise of which I can alone look forward for the acquisition of an honourable independence. I bow with submission to this enactment, and offer to waive the advantage of my contracts in favour of the government for the limited profit of twelve annas per maund, being less by two-thirds than the profit I must have derived on the sale of the article elsewhere. This the Board of Trade decline; but permission is given me by government to receive the produce of my engagements under certain restrictions, with which, although suggested by themselves, the Board, as I have shewn, effectually precluded my

compliance, by the delay of that information which was absolutely indispensable. After the lapse of five years, passed by me in fruitless efforts to obtain from the board even a representation of my injuries to their superiors, an appeal is made to government, to compensate me for the profit of which, as merchants, they had deprived me. The profit made by the government, supposing a rise of only 1d per pound in the price took place, must have been nearly £80,000 sterling; but if it be recollected that a rise of from 80 to 104 per cent. took place, a profit of little less than £190,000 must have been realized; a point which, by and bye, will be capable of demonstration. The justice of my claim is admitted by the Board of Trade, and expressly acknowledged by government; but a difference of opinion exists as to the extent of my loss; the board of trade estimating it at 75,000 rupees, or £9,375 sterling, Mr. Wilkinson at 400,000 rupees, or £50,000 sterling. To determine this question of *quantum*, the government, again assuming the character of sovereigns, decline what I, as a merchant suggested, *viz.* arbitration; and without at all consulting me in the selection, without even deigning to communicate their intention, nominate five gentlemen, of whom the majority are covenanted servants of their own, uniting commercial, financial, and legal experience, to declare what I am in justice entitled to, under all the circumstances of the case. These gentlemen, who, be it remembered, were the referees of government, men of unimpeachable integrity and of great local knowledge, after an investigation of five months, a careful perusal of every document which government could submit, and acting under a letter of instructions from their secretary, unanimously declare (after submitting a calculation, which shews that I have been deprived by the monopoly of a profit exceeding £79,000 sterling), that the lowest compensation to which I am entitled, is the sum of 2,48,800 sicca rupees, or £36,100 sterling; thus apparently terminating the suspense and misery to which I have been for five years subjected. But no, my suspense and anxiety were not to end in India; the opinion of their own referees is not allowed by government to be conclusive, and the unfortunate individual who now addresses you is compelled to undertake a voyage of 13,000 miles, to seek in England that redress which was denied to him in India, under circumstances, as it is confidently presumed, of unparalleled hardship. I had myself, and I hope the court will not lose sight of the circumstance, expressly solicited that my case might be referred to arbitration. I now put it to the feelings of every gentleman who hears me, and I ask of him to say,

in what my proposition for arbitration differed from the course adopted by government, except that it gave to the company every possible advantage over the humble individual who was seeking redress? Such are the circumstances under which I have been compelled to visit this country. Your honourable court, Mr. Chairman, have brought my case fully before the proprietors, and I look forward with implicit confidence to the correctness and justice of their ultimate decision. [The whole of this speech was received with the deepest attention by the court; and many parts of it were loudly applauded.]

Mr. *Forbes*.—"Mr. Chairman, after the very clear, able, and convincing statement of Mr. Wilkinson's case which we have just heard, I fear that I should injure his interests were I to attempt to add one word to what he has just now offered to the court. For the last three months I have taken great pains to make myself acquainted with the merits of this case as far as I possibly could; and I now state, conscientiously, that I never knew a more just or proper claim to have been submitted to this or any other court. I am the more confirmed in my opinion on this point in consequence of the report of the committee nominated by the Bengal government to investigate the nature of Mr. Wilkinson's claim. That committee, after five months laborious investigation, awarded that Mr. Wilkinson had a claim to the compensation of 2,88,800 rupees. I regret extremely that such a solemn decision was not made the ground of remuneration to this gentleman whilst he remained in India; and it is much to be lamented that he has been compelled to make a journey to this country, at so great a distance of time and at so large an expence, in order to seek that redress which the government of India were long since bound to afford him. I cannot but think, Sir, that they ought without hesitation to have proceeded on the decision of a committee which they themselves had appointed; of the members of which Mr. Wilkinson had no intimate knowledge, and by whom he never was consulted. On the contrary, it appears that he was prevented from nominating a single member of that body. I hope the court will excuse me for stating thus much; my view of the subject is a most conscientious one. I have no interest whatever in the result of this proceeding; I have no interested object, but am actuated alone by an earnest desire to see strict and impartial justice done to all the parties concerned. Permit me to conclude by moving, that this question be adjourned to a period of not less than fourteen days, in order to amend the present motion, by inserting, that a sum of 2,88,800 sicca

rupees be paid to Mr. Wilkinson, with interest thereon at the rate of six per cent., from the 30th of April 1817 to the day when payment shall be made, in order to indemnify him for the losses which he has sustained in consequence of the monopoly of the saltpetre trade by the Governor-gen. in council of Bengal, as set forth in regulation 8 of 1812; the same being the sum unanimately recommended to be given to Mr. Wilkinson, as the lowest compensation to which he was entitled, by a report, dated the 4th of June 1817, of a committee consisting of the following gentlemen, *viz.* Charles Bayley, Esq. Henry Wood, Esq. Robert Compton, Esq. George Cruttenden, Esq. and David Clarke, Esq. who were specially appointed by the Governor-gen. in council to take Mr. Wilkinson's case into consideration, to whose appointment Mr. Wilkinson was not privy, and in whose nomination he had no voice."

Sir C. Cockerell, General Brown, Humphrey Howorth, Esq. and Mr. Inglis rose at the same time, apparently for the purpose of seconding this motion. It was, however, ultimately seconded by Mr. Howorth.

The *Chairman*.—"The question of adjournment is a distinct motion, and it is a point of great doubt whether any substantive matter can be mixed up with it. Our legal adviser will state his opinion on the subject."

The Company's Solicitor said, that the 8th chap., sect. 4, of the Bye Laws contained the following provision.—"It is ordained, that no motion shall in future be made in a general court to forgive any offences committed by any of the Company's servants, or to make any grants of, any sums of money out of the Company's cash, without notice being given in writing by persons proposing the same, and published by the Court of Directors at least fourteen days previous to the holding of such general court." He apprehended, therefore, that under this section no proposition could be made for the grant of any sum of money by the general court, unless full fourteen days notice were given of such motion. It was a matter of strict and specific form. He understood that there must be a notice given in writing to the Court of Directors, and by them publicly promulgated fourteen days previous to the submitting of a motion of this nature to the general court. The motion of adjournment is quite independent of this clause. He conceived that a motion for the adjournment of this question for fourteen days, and a notice of the intended amendment, might be given at the same time. But he apprehended that, in point of regularity, the motion should be specifically made at the adjourned court. To prevent difficulties hereafter, it ought to

be recollected, that a notice should be given in writing by the person who meant to propose it.

Mr. S. Dixon said that their legal adviser had very clearly stated the bye-law which applied to this question. Whatever the hon. proprietor intended to move must be proposed hereafter, fourteen days notice being previously given. He might therefore give notice of his intended motion now, and then move that the court do adjourn.

Mr. Bosanquet said, it appeared to him irregular to couple a notice of motion with a question of adjournment.

The Chairman observed that the debate might go on if the hon. proprietor merely moved, instead of the adjournment of the court, that the farther consideration of this questioned be postponed to a particular day.

Mr. Gahagan wished to suggest to the hon. mover a more proper mode of proceeding than that which he had adopted. They had heard from their law officer that the hon. proprietor could not mix up the question of adjournment and the notice of a specific motion without a violation of one of their bye-laws. The lateness of the hour would necessarily prevent them from coming to a decision on the merits of the question this day; would it not be more expedient, therefore, to move simply that the farther consideration of the subject be adjourned to some future period (till Friday next, for instance) on account of the lateness of the hour? If this were done, the court would avoid any breach of the bye-law. The question on that day would be, did the court of proprietors concur, or not, in thinking that the sum proposed by the court of directors, and that only, should be awarded to Mr. Wilkinson? If the majority of proprietors were of opinion that it was not sufficient, and that the sum which the hon. gentleman had suggested was the fair remuneration, it would then be competent for him to give a written notice, that in fourteen days from that time he meant to submit, that instead of 75,000 sicca rupees there should be awarded to Mr. Wilkinson 2,88,800. It would then be for the court to concur in or dissent from the resolution of the court of directors.

Mr. Lowndes said it struck him that it would be very unwise and unjust to come to a decision when they had only heard one side of the question, when they had only heard the statement of the person who had asked for relief. This was mere *ex parte* evidence, and certainly of the most partial nature. He wished Mr. Wilkinson to have proper justice done him; but how, he would ask, could they come to a decision on the question at present?

Mr. Gahagan—"The hon. proprietor has totally misapprehended every word I said. My object is to postpone the question for further consideration."

Mr. Hume said, it appeared that some individuals were of opinion that the sum awarded by the court of directors to Mr. Wilkinson was not sufficient; but those gentlemen had not hitherto given notice of their intention to move that the grant should be enlarged. The bye-law required fourteen days notice to be given of a motion of that kind; the point, therefore, was, whether the court would now adjourn in order to afford time to have the notice regularly promulgated. He submitted to his hon. friend (Mr. Forbes) merely to move, that the court do now adjourn the consideration of the question, it being clearly understood to be the intention of himself and others to intimate by letter to the court of directors that they meant to move for an increased grant. This would prevent an argument for and against the proposed enlargement of the motion, which must inevitably take place if the court were to consider whether the specific grounds laid by his hon. friend for the postponement of the question were or were not of sufficient weight. He hoped that no opposition would be offered to this course of proceeding. The discussion might be put off till this day three weeks, and he was sure that no disposition would be manifested to press on the court, at the present moment, the decision of a question of so much importance.

Mr. Forbes—"After the opinion which has been given by several gentlemen, I wish to withdraw my former motion, and I now beg leave to move that the farther consideration of this question be postponed till Wednesday, the 7th of April next."

Mr. D. Kinnaid said, the object of the hon. proprietor was perfectly understood, he wished the court to adjourn, in order that an opportunity might be afforded of taking an increased grant into regular consideration. For this purpose, fourteen days clear notice should be given; but it appeared to him, that to adjourn to this day fortnight would not be sufficient. It was too late to enter into a full discussion of the question at that moment; and as an election of directors was now coming on, he suggested the propriety of adjourning the debate beyond the period of fourteen days.

Mr. R. Jackson was happy to see so conciliatory a temper prevailing at each side of the bar. Whatever opinion might be entertained as to the merits of Mr. Wilkinson's case, and the sum that ought to be paid him, they must all agree in wishing strict justice to be administered.

and that object could only be obtained by a temperate, candid, and open course of proceeding. Some gentlemen wished to reject that part of the motion which specified what the hon. proprietor meant to move at a future period, and to confine it merely to the question of adjournment; the hon. proprietor certainly might do this, assured, as he must now be, that that whenever he brought the subject forward he would have a candid and patient hearing, and that the person for whom he interested himself would have perfect justice done him. Having stated this, he (Mr. Jackson) protested against the doctrine now held out, that the motion as it stood at present was not consistent with the bye-laws. He entered his protest, because it might be necessary hereafter, when a proprietor moved the question of adjournment, that he should state in that motion the reason which induced him to propound it. He would maintain that there was not a *scintilla* in one of the bye laws which rendered it imperative on a proprietor to confine himself to the abstract proposition of adjournment. Any gentleman who thought it necessary to state his reason for adjourning, might make his motion of a fuller and more enlarged description if he were pleased so to do. In the present instance, he conceived the naked motion would answer every purpose; the hon. proprietor giving notice in his place, that he meant, at the expiration of a certain time, to submit to the court a specific proposition, such as he had already intimated.

The *Chairman*—"I have merely to submit to the hon. mover, that the appointment of a day for this discussion previous to the close of the present direction would be exceedingly inconvenient. The court of directors have many expresses and other serious matters to attend to, which will be retarded if the discussion of this subject takes place before the next election. I do not wish the question to be delayed more than is absolutely necessary; but having been already protracted for several years the delay of a few weeks cannot be of any consequence. If a day were appointed for the discussion after the 14th of April, it would be infinitely more convenient to the court of directors.

Mr *Wilkinson*—"Whatever day will best suit the convenience of this court and of the court of directors, whether it be at the distance of a fortnight, or a month, or two or three months, I am perfectly ready to bow to it."

Mr. *Forbes*—"I then move, Mr. Chairman, that the farther consideration of this question be adjourned to Wednesday the 21st of April."

Mr. *Hume* said, the question being now simply that of adjournment, he would take the opportunity of making one observa-

tion to the court. He was free to acknowledge that he would have been better pleased if another course of proceeding had been adopted. He was anxious that justice should be done to all parties; and he would have been extremely glad if Mr. Wilkinson's case had been referred back to the court of directors for their reconsideration: it appeared to him that there were many points which would bear a re-inquiry. He hoped the court would take this suggestion into their most serious consideration.

Mr. *R. Jackson* said, that the mode of proceeding suggested by his hon. friend might be obtained by way of amendment: it certainly was a suggestion of too much importance to be lost. This it appeared to him was a great mercantile question; and that being the case, he would much rather leave the whole of it to the arbitration of merchants. The court of directors might nominate one, Mr. Wilkinson another, and these two might be empowered to nominate a third. To the body thus constituted the whole question might be referred with perfect safety.

Mr. *Hume* said, he did not doubt the propriety of the question being considered by that court; but he wished, if possible, to avoid those discussions to which, if it were farther agitated there, it must necessarily give rise.

The *Chairman*—"For the same reason that I wished the motion to be put off beyond the 14th of April, I now submit, that it would be very inconvenient to refer this question to the court of directors. It is hardly possible that we could find time enough, consistently with our other avocations, again to go over those voluminous documents. It would be an incongruity to leave the case to the consideration of the next court; unless, indeed, the hon. proprietor imagines that some benefit would accrue from referring the question to the court which would be formed by the 14th of April, when the functions of the present had ceased. We have given the subject our most serious consideration, and the fact that many of us have dissented from the resolution is evidence that great attention was bestowed on the question. I therefore hope that it will not be referred back, but that the court will adopt the motion of adjournment. The lateness of the hour is the only reason that induces me to consent to the postponement of the question. The adjournment was moved for the purpose of affording time to propose a larger grant; and if there had been time for the discussion, I certainly should have opposed a motion which had that object in view. The day, however, being so far advanced, the most reasonable course for us to pursue is to adjourn the question to a later opportunity."

Mr. R. Jackson said, it appeared that this question must ultimately be referred to the board of control, for its approbation, in case the court agreed to grant a sum of money to Mr. Wilkinson. He hoped the court of directors would be cautious how far they committed themselves, and their rights, to the jurisdiction of that board. The present was decidedly a more commercial question than that, relative to which, sometime back, they had so strongly opposed the board of control; and in proportion as it was more commercial, so ought it to be watched with a greater degree of jealousy.

The question of the adjournment of the consideration of this subject to the 21st of April was then put and carried in the affirmative, and the court adjourned.

LONDON MARKETS.

Friday, Mar. 26, 1819.

Cotton.—The large arrivals of Cotton announced early in this week had the effect of depressing the market; there are, however, considerable purchasers for export and on speculation.

Sugar.—There are few sales of Foreign Sugars. On Tuesday, at the India House, about 8,000 bags were brought forward, the whole went off freely; the good and fine Sugars 3s. 4d., the low qualities 1s. 2d. higher than the previous prices by private contract. On Wednesday 1,995 bags East India descriptions were brought forward by public sale, the whole went off 1s. 4d. below the prices realized the day previously at the India House.

Coffee.—There has been little business done by private contract, and no public sales have been brought forward for three weeks until this forenoon; it of course attracted great interest.

Rice.—The demand for East-India Rice continues considerable; on Wednesday 3,500 bags Bengal, by public sale, common sold 14s. and 14s. 6d.; middling white 17s. 6d. and 18s.

BIRTHS, MARRIAGES, AND DEATHS, HOME LIST.

Information respecting Births, Deaths, and Marriages, in families connected with India, if sent under cover, post paid, to Messrs. Black and Co., Leadenhall Street, will be inserted in our Journal free of expense.

MARRIAGES.

Feb. 23. At Overton, near York, Robt. Dourker, Esq. of Greenock, North Britain, to Augusta, youngest daughter of the late Rev. Claudius Buchanan, D.D. formerly of Calcutta.

23. At Marylebone New Church, Thos. Burch Western, Esq. of Tottington Place, Suffolk, eldest son of the late Admiral Western, to Margaret Letitia, fourth daughter of William Busby, Esq. of Great Cumberland Place, and of Kirkmichael, Dumfriesshire.

Same day. Geo. Rich. Pemberton, Esq. of the Hon. East-India Company's service, to Maria, fourth daughter of the late Rev. R. B. Bell, formerly Fellow of New College, Oxford.

At Exmouth, Devon, William Hickey, Esq. of the Bengal Military Establishment, to Frances Isabella, youngest daughter of the late Rev. Edmund Gilbert, of Windsor House, County of Cornwall.

DEATHS.

March 6. Elizabeth Mary, the infant daughter of Joseph Dart, Esq. Secretary to the Honorable East-India Company.

March 3. In the 67th year of his age, Joseph Hardcastle, Esq. late Treasurer to the London Missionary Society.

4. At the house of G. Gillett, Esq. Galford Street, the lady of Lieut. Col. Gillespie, Commandant of the Hon. East-India Company's Depot at Chatham.

20. At her house in Baker-street, Margaretta Aurora Petrie, relict of Wm. Petrie, Esq. late Governor of Prince of Wales Island.

21. In the 77th year of his age, Lieut. gen. Chas. Morgan.

Capt. Chas. Wyatt, of Foley House, late of the Bengal Engineers, who built the Government House in Calcutta.

INDIA SHIPPING INTELLIGENCE.

Arrivals.

Feb. 22. Guernsey. Cyrus, Libby, from Batavia.
23. Cork. Mar. 13. Liverpool. Argo, Lyon, from Bengal.

— Gravesend, Victory, Braithwaite, from Bombay, 10 Oct.

— Gravesend, Briton, Dobson, from Bengal.

— Off Dover. 28. Gravesend, Upton Castle, Harrill, from Bombay and the Cape.

— Deal, St. Paul, Wheelwright, from Batavia, 29 Sept.

— Deal. 28. Gravesend, George the Third, Fisher, from Madras and the Cape.

28. Gravesend, Atlas, Short, from Bengal.

Mar. 1. Portsmouth, Waterloo, Hammer, from Batavia.

19. Off Dover, Coromandel, Day, from Batavia.

— Cowes, Union, Oxnard, from Batavia.

20. Studwell Roads. 22. Liverpool, William Dawson, Scott, from Bengal, 19 Nov. and Cape, 13 Jan.

— Deal. 24. Gravesend, Malabar, Ascough, from Bengal, 27 Oct. St. Helena, 12 Jan.

— Deal. 23. Gravesend, Wansstead, Richards, from Bengal, 30 Sept.; Madras, 23 Oct.; and the Cape, 5 Dec.

— Deal. 24. Gravesend, Medway, Wright, from Bengal, 29 Oct.

— Deal. 23. Gravesend, Norfolk, Edwards, from Bengal, 21 Oct.; and the Cape, 4 Jan.

22. Off Dover. 22. Deal, Swiat Castle, Walker, from Bombay and the Cape.

— Deal. 24. Gravesend, Essex, Mahon, from Bengal, 25 Oct.; and the Cape, 25 Dec.

— Liverpool, George Canning, Stewart, from Bengal, 23 Nov.; and St. Helena, 20 Jan.

— Clyde, Hugh Crawford, Athol, from Bengal, 3 Nov.; and St. Helena, 15 Jan.

— Deal, Sourabaya, —, from Batavia.

— Deal, Batavia, Gelder, from Batavia.

23. Gravesend, Cosack, McBeath, from the Isle of France and St. Helena.

— Liverpool, Guildford, Johnson, from Bengal, 18 Nov.; and the Cape, 16 Jan.

Departures.

Feb. 25. Plymouth, Stockton, Lumley, for Bengal.

28. Cowes, Lord Wellington, Wasse, for Bengal.

— Cowes, Lloyd, M'Pherson, for St. Helena.

— Cowes, Wellington, Hatton, for the Cape.

Mar. 1. Cowes, Waterloo, Alsager, for Bengal.

— Cowes, Vrow Catherine, Delzyl, for Batavia.

9. Gravesend, Sir S. Lushington, M'Kellar, for Bombay.

— Cowes, Hamilton, Greenough, for Batavia.

13. Gravesend, Swallow, Phillips, for the Cape.

14. Gravesend. 20. Deal, Rose, M'Taggart, for Madras and Bengal.

15. Gravesend. 20. Deal, Warren Hastings, Rawes, for China.

— Gravesend, Minerva, Mills, for Madras and Bengal.

18. Gravesend. 20. Deal, Brilliant, Young, for the Cape.

23. Gravesend, Eclipse, Stewart, for Madras.

— Gravesend, Bombay Merchant, Clarkson, for Bombay.

When sailed.	Ships.	Tons.	Managing Owners.	Commanders.	First Officers.	Second Officers.	Third Officers.	Fourth Officers.	Surgeons.	Patients.	Consignments.	To be discharged.	To be on board.
1818.	Regent	916	James Haig	Philip Ripley ..	Jas. Hamilton ..	William Scott ..	H. Edmonds ..	John Simpson ..	Alexander ..	Alex. H. Sim ..	China	1818.	1818.
9 May.	3 May.	717	Andrew Timbrell ..	Simon Lee ..	Thos. Addison ..	W. P. Bagwell ..	H. Edmonds ..	John Simpson ..	George Walton ..	Christ. Fearon ..	China	9 July	9 July
1819.	3 May.	1200	H. M. Sanson ..	Thos. Larkins ..	James Sexton ..	Wm. R. Best ..	John Tenn ..	Robert Groom ..	C. E. Newbury ..	E. Harrison ..	Bombay & China ..	1819.	1819.
3 May.	3 May.	1000	William Moffat ..	Hugh Scott ..	J. A. Tween ..	R. W. Smith ..	George Denny ..	Jas. Coates ..	Robt. Strange ..	Nich. G. Glass ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	Charles Grist ..	Thos. Northcott ..	Jas. Duden ..	Wm. R. Farner ..	J. Wilkinson ..	J. Wordsworth ..	S. T. Bridger ..	Rich. H. Cox ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	Richard Borradale ..	Thos. Northcott ..	Jas. Duden ..	Wm. R. Farner ..	J. Wilkinson ..	C. Pennington ..	Rich. H. Cox ..	Jas. Pillans ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	Henry Bonham ..	Richard Nisbet ..	Edward Moul ..	G. Aug. Bond ..	Wm. P. Jones ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Carstairs ..	R. S. Dalrymple ..	J. Foulerton ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
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3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
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3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
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3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..	Charles Graham ..	Edw. Young ..	W. C. Sutherland ..	Henry Cowan ..	John More ..	Thos. Hog ..	Joseph Craig ..	Bombay & China ..	19 Nov.	19 Nov.
3 May.	3 May.	1000	John Hunter ..										

	L. s. d.	L. s. d.		L. s. d.	L. s. d.
Cochineal.....lb.	0 5 6	10 0 0	Drugs, &c. for Dyeing.		
Coffee, Java.....cwt.	6 13 0	7 2 0	Turmeric, Bengal.....cwt.	0 18 0	10 1 2 0
— Cheribon.....cwt.	6 8 0	6 8 0	— China.....cwt.	1 16 0	— 1 18 0
— Bourbon.....cwt.	6 8 0	7 0 0	Zedoary.....cwt.		
— Mocha.....cwt.	7 0 0	7 2 0	Galls, in Sorts.....cwt.		
Cotton, Surat.....lb.	0 0 6	0 0 10	— Blue.....cwt.	7 10 0	— 9 0 0
— Extra fine.....cwt.	0 0 10	0 0 11	Indigo, Blue.....lb.		
— Bengal.....cwt.	0 0 6	0 0 8	— Blue and Violet.....cwt.	0 9 0	— 0 9 3
— Bourbon.....cwt.	0 1 6	0 2 3	— Purple and Violet.....cwt.	0 8 6	— 0 8 10
Drugs, &c. for Dyeing.			— Good Ditto.....cwt.	0 8 0	— 0 8 6
Aloes, Epatica.....cwt.	5 5 0	— 7 0 0	— Fine Violet.....cwt.	0 8 0	— 0 8 3
Aniseeds, Star.....cwt.	4 15 0	— 5 0 0	— Good Ditto.....cwt.	0 7 8	— 0 7 11
Borax, Refined.....cwt.	4 15 0	— 5 10 0	— Fine Violet & Copper.....cwt.	0 7 3	— 0 7 7
— Unrefined, or Tincal.....cwt.	8 10 0	— 12 0 0	— Fine & Good Copper.....cwt.	0 7 0	— 0 7 3
Camphire unrefined.....lb.	10 10 0	— 12 0 0	— Middling Ditto.....cwt.	0 6 6	— 0 6 9
Cardemoms, Malabar.....lb.	0 3 6	— 0 6 0	— Ordinary.....cwt.	0 5 9	— 0 6 0
— Ceylon.....cwt.	0 3 0	— 0 3 6	— Fine Madras.....cwt.		
Cassia Buds.....cwt.	17 0 0	— 18 10 0	Manilla.....cwt.		
— Lignea.....cwt.	9 0 0	— 11 0 0	Rice.....cwt.	0 14 6	— 1 0 0
Castor Oil.....lb.	0 1 11	— 0 3 10	Sailflower.....cwt.	10 10 0	— 11 0 0
China Root.....cwt.	1 10 0	— 1 14 0	Sago.....cwt.	1 5 0	— 1 16 0
Coculus Indicus.....cwt.	2 10 0	— 3 0 0	Saltpetre, Refined.....cwt.		
Columbo Root.....cwt.			Silk, Bengal Skein.....lb.	0 17 1	— 1 0 11
Dragon's Blood.....cwt.	30 0 0	— 35 0 0	— Novi.....cwt.	1 3 0	— 1 17 4
Gum Ammoniac, lump.....cwt.	10 0 0	— 11 0 0	— Ditto White.....cwt.	1 3 0	— 1 17 4
— Arabic.....cwt.	4 5 0	— 6 5 0	— China.....cwt.	1 6 10	— 1 15 5
— Assafetida.....cwt.			— Orgazine.....cwt.	1 19 0	— 2 10 0
— Benjamin.....cwt.	8 0 0	— 63 0 0	Spices, Cinnamon.....cwt.	0 9 6	— 0 11 2
— Aniini.....cwt.	5 0 0	— 8 0 0	— Cloves.....cwt.	0 3 4	— 0 3 6
— Galbanum.....cwt.	34 0 0	— 36 0 0	— Bourbon.....cwt.		
— Gambogium.....cwt.	15 0 0	— 19 0 0	— Mace.....cwt.	0 6 8	— 0 8 0
— Myrrh.....cwt.	5 10 0	— 7 0 0	— Nutmegs.....cwt.	0 5 10	— 0 5 11
— Olibanum.....cwt.	7 0 0	— 8 0 0	— Ginger.....cwt.	0 11 0	— 1 12 0
Lac Lake.....cwt.	0 1 6	— 0 3 0	— Pepper, Company's lb.....cwt.	0 0 8	— 0 0 8
— Dye.....cwt.	0 7 0	— 0 7 0	— Prunage.....cwt.	0 0 8	— 0 1 0
— Shell Black.....cwt.			— White.....cwt.	0 1 0	— 0 1 0
— Shivered.....cwt.			Sugar, Yellow.....cwt.		
— Stick.....cwt.			— White.....cwt.		
Musk, China.....cwt.	1 16 0	— 2 4 0	— Brown.....cwt.		
Nux Vomica.....cwt.	1 5 0	— 1 10 0	— Bohea.....cwt.	0 2 3	— 0 2 3
Oil Cassia.....cwt.	0 1 6	— 0 2 0	— Congou.....cwt.	0 2 7	— 0 3 7
— Cinnamon.....cwt.	0 15 0	— 0 15 0	— Sonchong.....cwt.	0 3 6	— 0 3 0
— Cloves.....cwt.	0 3 6	— 0 3 6	— Campoi.....cwt.	0 3 2	— 0 3 8
— Mace.....cwt.	0 1 0	— 0 1 6	— Twankay.....cwt.	0 2 9	— 0 3 6
— Nutmegs.....cwt.	0 1 0	— 0 1 6	— Pekoe.....cwt.	0 4 8	— 0 4 11
Opium.....lb.	0 4 0	— 0 11 0	— Hyson Skin.....cwt.	0 4 0	— 0 4 0
Rhubarb.....cwt.	0 4 0	— 7 0 0	— Hyson.....cwt.	0 4 7	— 0 6 0
Sal Ammoniac.....cwt.	0 1 3	— 0 2 6	— Gunpowder.....cwt.		
Senna.....lb.	0 1 3	— 0 2 6	Tortoiseshell.....cwt.	2 2 0	— 2 5 0
Turnerick, Java.....cwt.	1 5 0	— 1 8 0	Woods, Saunders Red.....ton	6 10 0	— 8 0 0

GOODS DECLARED FOR SALE AT THE EAST-INDIA HOUSE.

For Sale 8 April—Prompt 23 July.
Licensed.—Coffee—Sugar—Rice.

For Sale 22 April—Prompt 30 July.
Licensed and Private Trade.—Indigo.

For Sale 10 May—Prompt 6 August.
Company's.—Saltpetre—Black Pepper—Cinnamon—Cloves—Mace—Nutmegs—Oil of Mace.
Licensed.—Saltpetre—Pepper—Sago—Ginger.

For Sale 12 May—Prompt 6 August.
Licensed.—Castor Oil—Cowries—Soda—Turmeric—Munjeet.

For Sale 14 May—Prompt 6 August.
Licensed.—Goat Skins—Red Wood—Sapan Wood—Ebony—Horn Tips.

CARGOES OF EAST-INDIA COMPANY'S SHIPS LATELY ARRIVED.

CARGOES of the *Earl of Balcarras*, from China; and the *Lady Lushington*, from Bombay.

Company's.—Tea—Raw Silk—Nankens—Cotton—Saltpetre—Pepper.

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SHIP-LETTER MAILS FOR INDIA.

(Post Office List.)

Ships' Names. Tons. Probable Time of Sailing.

Cape of Good Hope.

Mary 123 Apr. 5.

Cape of Good Hope and Bombay.

John Palmer 393 Apr. 1.

Calcutta.

Albion 500 Apr. 20.

Bombay.

Upton Castle 600 Apr. 5.

INDIAN SECURITIES AND EXCHANGES.

The Company's 6 per Cent. Loan Paper was at a discount of 7 Rup. 4 Ann. to 7 Rup. 12 Ann. per Cent. late in October last.

The Exchange for Bills at Calcutta on London, drawn at 6 Months' Sight, was 2s. 7d. to 2s. 7½d. per Rupee; and the Exchange for Bills drawn in London on Calcutta may be stated at from 2s. 5½d. to 2s. 6d. per Sicca Rupee.

Daily Prices of Stocks, from the 26th of February to the 25th of March, 1819.

1819.	Bank	5 p. Cent.	Reduced.	5 p. Cent.	4 p. Cent.	Navy.	Long	Annuit.	India	South Sea	Old So. Sea	New	4 per Cent.	2d per Dy.	Consols	Lottery	1819.
Feb. 26	—	75 1/2	74 1/2	74 1/2	94 95 1/2	105 1/2	19 1/2	19 1/2	—	—	—	—	56 58p	9p. par	75 1/2	19 18 0	Feb. 26
27	—	74 1/2	73 1/2	74 1/2	94 93	104 1/2	19 1/2	19 1/2	—	—	—	—	50 35p	1p. 8d	74 1/2	—	27
Mar. 1	—	73 1/2	73 1/2	73 1/2	94 95 1/2	104 1/2	19 1/2	19 1/2	—	8 1/2	—	—	30 20p	4 10d	74 1/2	19 18 0	Mar. 1
2	361	73 1/2	73 1/2	73 1/2	94 95 1/2	104 1/2	19 1/2	19 1/2	—	—	—	—	15 10p	8 10d	73 1/2	—	2
3	—	73 1/2	73 1/2	73 1/2	94 95 1/2	104 1/2	19 1/2	19 1/2	—	—	73 1/2	—	21 88p	12 6d	73 1/2	—	3
4	—	75 1/2	74 1/2	74 1/2	94 95 1/2	104 1/2	19 1/2	19 1/2	—	—	—	—	28 30p	7 3/4	74 1/2	—	4
5	—	74 1/2	74 1/2	74 1/2	94 95 1/2	104 1/2	19 1/2	19 1/2	—	8 1/2	—	—	35 32p	par. 4d	74 1/2	19 18 0	5
6	—	—	—	—	—	104 1/2	19 1/2	19 1/2	—	—	—	—	32 34	2 3d	74 1/2	—	6
7	—	—	—	—	—	104 1/2	19 1/2	19 1/2	—	—	—	—	—	1 3d	74 1/2	—	7
8	—	—	—	—	—	104 1/2	19 1/2	19 1/2	—	—	—	—	—	2 5d	73 1/2	—	8
9	—	—	—	—	—	105 1/2	19 1/2	19 1/2	—	—	—	—	32 34p	4 3d	71 3/2	19 18 0	9
10	—	—	—	—	—	105 1/2	19 1/2	19 1/2	—	—	—	—	35p	1 3d	74 1/2	—	10
11	—	—	—	—	—	105 1/2	19 1/2	19 1/2	—	—	—	—	35 36p	2 3d	74 1/2	—	11
12	—	—	—	—	—	105 1/2	19 1/2	19 1/2	—	—	—	—	35 37p	3 2d	74 1/2	—	12
13	—	—	—	—	—	105 1/2	19 1/2	19 1/2	—	—	—	—	39p	2 3d	74 1/2	—	13
14	—	—	—	—	—	105 1/2	19 1/2	19 1/2	—	—	—	—	40 37p	3 1d	74 1/2	19 18 0	14
15	—	—	—	—	—	103 1/2	19 1/2	19 1/2	—	—	—	—	38 36p	2 3d	74 1/2	—	15
16	—	—	—	—	—	104 1/2	19 1/2	19 1/2	—	—	—	—	36 37p	2d. par.	74 1/2	—	16
17	—	—	—	—	—	104 1/2	19 1/2	19 1/2	—	—	—	—	—	par. 2d	74 1/2	—	17
18	—	—	—	—	—	104 1/2	19 1/2	19 1/2	—	—	—	—	30p	1 6d	74 1/2	19 18 0	18
19	—	—	—	—	—	104 1/2	19 1/2	19 1/2	—	—	—	—	27p	4 5d	74 1/2	—	19
20	—	—	—	—	—	104 1/2	19 1/2	19 1/2	—	—	—	—	—	—	—	—	20
21	—	—	—	—	—	104 1/2	19 1/2	19 1/2	—	—	—	—	—	—	—	—	21
22	—	—	—	—	—	104 1/2	19 1/2	19 1/2	—	—	—	—	—	—	—	—	22
23	—	—	—	—	—	104 1/2	19 1/2	19 1/2	—	—	—	—	—	—	—	—	23
24	—	—	—	—	—	104 1/2	19 1/2	19 1/2	—	—	—	—	—	—	—	—	24

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With profound respect, I have the honour to be, Gentlemen,
Your obedient humble Servant,

Newman-Street, March 20, 1817.

BENJAMIN WEST, P. R. A.

The same was also signed by R. COSWAY, R. A. Painter to His Royal Highness the Prince Regent.

2. Letter from Sir THOMAS LAWRENCE, R. A. principal Painter in Ordinary to the King.

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THE ASIATIC JOURNAL

FOR

MAY 1819.

ORIGINAL COMMUNICATIONS.

BIOGRAPHIC NOTICE OF COLONEL POLIER.

The name of Colonel Polier is familiar to Oriental scholars; and the incident of his being the first European who procured a complete copy of the Védas, confers upon him, as a resident in India, an eminent claim to distinction. The following Biographic Notice is translated from a narrative comprehended in the preface to a work published in Paris in 1809, entitled, "Mythologies des Hindous," prepared from the colonel's papers, and edited, by his cousin the Canoness Polier. We owe the translation of this interesting piece of biography to the pen of Horace Hayman Wilson, Esq. assistant surgeon on the Calcutta establishment, and secretary to the Asiatic Society; and for the readers of the west, who wish to be introduced to the beauties of Hindoo poetry, we add—the Sanscrit scholar who has translated into English verse the *Megha Dutā*, or "Cloud Messenger," of Calidasa.

Reviewing the progress of human genius, can we avoid being struck with the coincidence that knowledge, and light its emblem, should break upon the world from
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the same quarter of the heavens? Milton's dawn of day in Eden will describe the rise of science in the world of intellect:

Now morn, her rosy steps in the eastern
cline
Advancing, sowed the earth with orient
pearl.

And yet there are persons who, because the gems of Golcondah can be transferred to the west, and set in the bright front of a European diadem, would therefore have us believe that there are no gems in Golcondah. From a block of cloudy and impellucid stone the sculptor hand of education may carve the bust of an historian: but the unintelligent vacuities which the elaborate chissel has substituted for eyes can acknowledge no obligation to the arch of light trajected on our meridian from the east—and indeed they are under none; if they refuse, in performing the office of blank expression, to cast back one lucid beam towards the realms of morning, they are not guilty of ingratitude. But the pure diamond, sparkling with concrete light, returns, under every aspect, rays of grateful lustre, as
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an offering to the source of day ; so the eye of genius, glancing at the sun of orient science and its dazzling course, reflects back some of the light which it catches—a brilliant and a spontaneous tribute, which lessens not the treasure of the giver.

Mr. Wilson introduces this translation with a character of the *Mythologies des Hindous*, in sketching which liberality is united with erudition. The work itself, he observes, though not possessing the lucid arrangement that so complicated a subject as Hindu Mythology particularly requires, is a most satisfactory proof of the accuracy of the colonel's information, and the assiduity and zeal with which he collected his materials ; and considered as the performance of a man not versed in the Sanscrit language, and not aided by the results of European co-operation, it is highly favourable to his literary reputation. The life, up to the period of his return to Europe, is dictated by himself, and contains some curious cotemporary history. It is followed by his letter addressed to Sir Joseph Banks, giving an entertaining account of the means by which he procured the Vedas, and his donation of them to the British Museum. Thus far the narrative is in his own language. The subsequent details of his residence in Europe, in which our great historian Gibbon bears a part, as well as the melancholy catastrophe that closed Colonel Polier's career, are narrated by the Canoness.

I was born at Lausanne, in the Pays de Vaud, where my family, though of French extraction, had become naturalized. My uncle was in the English service, and held a command in Calcutta, which place I formed an early desire of visiting. At the age of fifteen I had made some progress in my mathematical studies, though in other respects but indifferently informed, and had acquired a considerable mass of crude and indigested knowledge on a vast

variety of subjects, picked up at the libraries of Neufchatel and Lausanne, the seat of my juvenile education. An opportunity of going to England occurring in 1756. I went thither in that year ; and embarking for India in the year ensuing, I arrived there at the age of eighteen, in the month of June 1758. It was to the Peninsula, then the theatre of the war between the French and English, that my first steps were directed, as my uncle had shortly before my arrival been killed at Calcutta, defending it against the French.

Deprived by the death of my relation of the only friend I had in India, I entered the English service as a cadet, and after being engaged in some actions with the French on the coast of Orissa, proceeded to Bengal, where I served against the native powers, till a temporary cessation of hostilities placed me at Patna, about the end of 1760. After that I was employed as engineer with the army that was sent against the Nawab, in consequence of the war which took place between the Shahzadeh and the English ; and upon the termination of the campaign was employed to superintend the military labours carried on by the troops. I was shortly after nominated assistant engineer at Calcutta, and in September 1762 succeeded to the post of chief engineer, with the rank of captain. The honourable situation to which I was so rapidly elevated, inspired me with the most sanguine expectation of success in my military career ; when my hopes were damped by the appointment of an officer from England to the situation I then filled, and I was directed by the government, in terms the most expressive of their entire satisfaction with my conduct, to join the army about to proceed against the Mahrattas and Sujah-ud-Dowlah ; and the title and rank of engineer, which I was allowed to retain, with the prospect of an active campaign, tended to console me for the loss of my situation at Calcutta. After the campaign was finished, I joined the expedition under Lord Clive, and with the rank of major commanded the Sipahes of his second brigade. I was so fortunate as to attain the friendship and confidence of that distinguished commander, and was entrusted with a general superintendence and control over the officers of his army, who were dissatisfied with his measures,

and were engaged in cabals against his operation and authority, cabals that I was principally instrumental in defeating.

The situation which I now held was so congenial to my inclinations, that it was with some reluctance I obeyed the orders of the government recalling me to Calcutta, although I was again appointed chief engineer and commandant of the fort. I repaired, however, to the presidency, and held these honourable situations for some period; when in lieu of the commission of lieutenant-colonel, which I had reason to expect from England, I received an order from the Court of Directors hostile to my further promotion, on the plea of my not being a native of Great Britain. The representations of the local government in my behalf were unavailing; and feeling sensible of the injustice of such an objection, I determined to relinquish the commands I had been allowed, notwithstanding, to retain, and to profit by the friendly introduction Mr. Hastings offered to furnish me with to any of the native princes then on friendly terms with the English government. I accordingly received the appointment of architect and engineer to Sujah-ud-Dowlah, and left Calcutta for Fyzabad, where I adopted the habits and customs of the natives of the country, amongst whom I was determined thenceforth to pass my life.

The military character of Sujah-ud-Dowlah prevented him from maintaining any long period of tranquillity with the neighbouring states; I was soon called upon to accompany him in a campaign against his enemies. Najef Khan, who was in alliance with him, was at that time engaged in the siege of Agra, and being in want of an officer to conduct the approaches, applied to Sujah-ud-Dowlah for an officer of that description. I was accordingly ordered to join him, and contributed essentially to the reduction of the place, which capitulated in twenty days; I then returned to the Nawab.

The favour I enjoyed with Sujah-ud-Dowlah naturally created me many enemies at his court; and availing themselves of the circumstance of my still preserving my rank in the service of the India company, they succeeded in exciting his distrust of my character and views. I was in consequence ordered

to leave the army and repair to Fyzabad; but the campaign was no sooner terminated than the Nawab was attacked by the illness, of which he expired in about two months, and I was confirmed in my rank and situation by his successor, Asof-ud-Dowlah.

At this period, whilst I was tranquilly enjoying the advantages of my situation, a change took place in the Company's administration at Calcutta, and Mr. Hastings was opposed by the majority of the council. These gentlemen, knowing my obligations to him, and inferring the devotion I naturally felt for his interests, summoned me unexpectedly to Calcutta, without allowing me time to make the slightest arrangement or preparation. I obeyed the order and returned to Calcutta; where finding that the services of ten years were requited with injustice and suspicion, I determined to quit the Company's employ altogether, and accordingly resigned it in November 1775. As I was master of my own arrangements, I returned immediately to Fyzabad, where my private affairs formed my sole occupation; for Asof-ud-Dowlah had been prejudiced against me by my enemies in the council, and not content with divesting me of my public situations, shortly after sent me an order to depart from his territory. I left Fyzabad therefore for Dehli, which I had several inducements to visit. I was personally known also to the Emperor, who received me in the most gracious manner, invested me with the command of 7000 men and the title of Omrah, and gave me in jaghire the district of Khair, a donation which amply compensated me for all I had lost or relinquished at Fyzabad. Necessarily attached to the court of Dehli, I accompanied the emperor in several military expeditions; and on our return from one of these I received a second jaghire, of very considerable value, and dependent directly on the crown of Dehli.

The rebellious condition of my new state rendered it necessary for me to have recourse to military measures for its pacification, and I dispatched thither a considerable body of men to reduce my disobedient subjects to my authority. Either from ill conduct or ill fortune, however, the expedition completely failed; my forces were routed, and the officer who

commanded lost his life in the engagement. Further attempts were equally fruitless, and I at length determined to relinquish a possession I could only hope to maintain by much toll and expense, and continued to attach myself to the person of the Emperor.

The court of Dehli, at this time, presented so distressful a picture of discontent and intrigue, that it was easy to foresee the result. The emperor was himself much beloved; but his prime minister, inordinately greedy both of wealth and power, took every precaution to keep the more faithful and distinguished noblemen at a distance from the throne, and to surround it with persons solely devoted to himself; general disgust was the consequence, and the nobles, with Najef Khan at their head, were incessantly occupied in concerting schemes for his removal and disgrace.

In this situation I heard with much satisfaction that another change had taken place at Calcutta, and that the members of the council were as friendly to Mr. Hastings as those of the late council had been inimical; from this circumstance I was led to flatter myself that I might recover my rank in the Company's service, and at least be enabled to wind up my private affairs at Fyzabad. The arrival of General Coote in India facilitated my views; and that eminent officer, to whom I had been long known both in the course of service and by several memoirs I had sent him relating to the northwestern provinces of India, interested himself so warmly in my cause, that I succeeded in obtaining my recall. I obtained permission from the Emperor to accompany General Coote to Benares, where I remained with him during his stay in the province; and during that time his influence procured me the restoration of the posts I had formerly held under the Nawab of Oude.

Whilst I was exulting in the favourable turn of my affairs, the news arrived that a revolution had taken place at Dehli, by which the prime minister had been deposed, and Najef Khan had succeeded to his power. That chief, unmindful of the service I had rendered him, no sooner found himself invested with his new authority, than the first use he made of it was to depose me of the post I held of

the empire. I had scarcely received this intelligence when I learnt that my posts under the Nawab were abolished; and I was thus suddenly reduced from a condition of the most brilliant promise to one of the greatest indigence; for not only was I deprived of all my places of emolument, but all the property I had accumulated during my residence in India was in the hands of the Nawab, and he was further indebted to me in very considerable sums for arrears of salary, which I had little prospect of recovering.

The benevolent disposition of Mr. Hastings, the innocent instrument of my misfortunes, made him anxious to promote and improve my interests in some other way; and by his means I procured the commission of lieutenant colonel, with a dispensation from active service, and permission to reside at Lucknow to effect the recovery and realization of my effects. In this situation I proceeded with the historical memoirs I had communicated to General Coote, and endeavoured particularly to complete a satisfactory account of the nation of the Sikhs. In the course of my enquiries I was frequently led into subjects relating to the history and mythology of the Hindus, and was surprised to find that I was entirely ignorant of the peculiar notions of the class of people with whom I had so long and so intimately been connected; an ignorance however very common amongst Europeans resident in India, who, arriving with certain ideas derived from the misrepresentations of very unfaithful guides, in those whose travels have been given to the public, have themselves little time and less inclination to investigate the truth, and rest contented with a few incidental ideas adopted from precarious and casual intercourse with the ordinary natives, which form, together with their original impressions, a mixture of the true and the false so strangely blended as to admit of being neither methodised nor unravelled. To those also who are more interested in the enquiry, other difficulties present themselves; for in the first place it is very rare to meet with persons, even amongst the Hindus, extensively versed in their own chaotic system; and secondly, without a knowledge of the Sanscrit or sacred language, it is almost impossible to understand the language of

the Pundits, as they intersperse their explanations with so many terms of Sanscrit origin, that to a proficient merely in the dialect termed Moors by the English, and Urdú Zeban by the natives, they are utterly unintelligible. I experienced this last difficulty very forcibly, although perfectly familiar with the Urdú.

In this predicament a lucky chance brought me acquainted with a man calculated to supply all my deficiencies in Sanscrit, and to convey to me the most satisfactory explanation of the Hindu doctrines. This was Ramchand, who had been preceptor to the celebrated Sir Wm. Jones, and was then residing at Sultanpúr near Lucknow. He had travelled over the greater part of India, and particularly the northern and western provinces: he was a follower of the Sikh faith and a Cshetrya by birth. Possessed of a most retentive memory and an intelligent and active mind, he was perfectly well acquainted with the whole body of the poetical works of the Hindus, and particularly with the Puranas, in which their mythology is contained; he had also two Brahmins belonging to his household, who were always at hand to be consulted on knotty points, and with whose aid he was quite competent to convey to me the information I was ardently desirous of obtaining.

Delighted with my preceptor, I prevailed on Ramchand to take up his abode with me; and setting myself assiduously to work, I wrote from his dictation a summary detail of the contents of the *Markandeya Purana*, the *Ramayana*, and the *Mahabharat*, as well as an account of the different *Avatars* or incarnations of Vishnu, the history of *Crishna*, and a great variety of legends, relating to the *Devatas*, the *Bhagts* or saints, and other personages of the Hindu mythology; in short, I prepared a view of the whole system, both in its primitive and modern state, and found it to be very different from any notions I had previously entertained of its scope and nature. When my task was completed I submitted my compilations to the inspection of several Brahmins and learned Hindus of my acquaintance, who all bore testimony to the accuracy and fidelity of what Ramchand had dictated; from that moment I never separated from my friend and

master, till, after a residence in India of thirty years, I returned once more to Europe; where I arrived a short time back, in July 1788.

In addition to the above, Mr. Polier supplied me with a copy of the letter addressed by him to Sir Joseph Banks, on the occasion of transmitting to that gentleman a copy of the *Védas* to be deposited in the library of the British Museum; and as there are some curious circumstances connected with the manner in which he procured those sacred books, and the letter has never been published at full length, my readers may not be displeased with a perusal of it.

Sir:—The favorable circumstances in which the English are placed by their Asiatic acquisitions for throwing much light upon the learning and religion of the Hindus, has naturally attracted the attention and excited the expectations of the literati of Europe; and curiosity has especially been awakened regarding the *Védas*, on which the whole system of this interesting people is founded. Various attempts have been made on the Coromandel Coast, in Bengal, and even at Benares, to procure those works; but they have hitherto only succeeded in putting us in possession of some detached treatises, which are nothing more than commentaries on particular and difficult passages of the *Védas*, and form no part of the original composition.

The long period of my residence in the Upper Provinces of India has given me many opportunities of enquiring on this subject; and I was the more stimulated to persevere in the search, as I found that the existence even of the Vedas was becoming matter of doubt at home. At Lucknow, Agra, and Dehli, my enquiries were in vain; when it occurred to me that there was another quarter in which they were more likely to be attended with success.

Udayapur having rebelled against Aurangzeb, the event was followed by a rigorous persecution of the Hindus; and in the year 1779, a great number of their holy places and sacred books were destroyed. Jayasinh, however, also called *Mirza Raja*, the founder of Jayapur near

Amblier, had at various periods rendered the emperor very important services, and as an acknowledgment of them, his son Ramsingh, Raja of Amblier, was exempted from the general and cruel persecution.

It appeared probable, therefore, that in this district I should still find a copy of the *Védas*; and on writing to a correspondent at Jayapur, I received a confirmation of my conjecture. I was informed, at the same time, that it would be impossible to procure a copy without an express order from the Raja, at that time Pertab Singh, a son of the famous Raja Mirza, I have above referred to, to whom the observatories of Dehli and Jayapur owe their origin, and by whom also some very curious astronomical tables were compiled, which were published in the name of Mahommed Shah Alum, Emperor of Dehli.* As I had some acquaintance with Raja Pertab Singh, having seen him when he came on a visit to Shah Alum, at the time the emperor was encamped in the vicinity of Jayapur, I did not hesitate to write to him; my friend Don Pedro de Silva, the Raja's physician, presented my letter to him. The Raja smiled at my request, and wondered what use a European could make of the Sacred Books of the Hindus; but on being informed of the European custom of making collections of all works that were valuable or curious, and of the great anxiety expressed to include the *Védas* in their number, he was pleased to issue an order for my being provided with a copy, which was accordingly prepared by the Brahmins, at my expense, in the course of the year.

The belief that the *Védas* has perished, I now found so firmly and generally prevailed, that many of my European friends were not disposed to admit the authenticity of the manuscripts I had procured.

* Jay Singh, or Jayasinha, succeeded to the inheritance of the ancient Rajas of Ambhere in the year of *Pieramaditya* 1750, corresponding to 1693 of the Christian æra. His mind has been early stored with the knowledge contained in the Hindu writings; but he appears to have particularly attached himself to the mathematical sciences, and his reputation for skill in them stood so high that he was chosen by the Emperor Mahommed Shah to reform the calendar, &c. Jayasinha undertook the task, and constructed a new set of tables, which in honor of the reigning prince he named *Zeej Mahommedshahy*. See Hunter, on the Astronomical labours of Jayasinha. A. R. vol. 5, 177, &c. Dr. Hunter also mentions Don Pedro de Silva, physician to the Raja, subsequently alluded to by Col. Polier.

The Raja Anauderam, a learned Brahman of rank, well known to many persons in England at present, was at this time at Lucknow, and bore public testimony to the works being the genuine *Védas*; he entreated also the temporary loan of them, and at my request distributed the leaves, which were originally detached from each other, into the volumes in which they now appear: it is not customary with the Hindus to bind their books at any time; and the Raja requested earnestly that I would never suffer these books to be enveloped in leather, or in any cover but of silk or velvet. He had the complaisance to count and number all the pages; and for my instruction, he wrote himself, in Persian characters, the title of each volume, and of each section, and the number of leaves which each of the last severally contained.

From the account I have thus given, it will appear that the Brahmins are far from feeling the repugnance they have been said to entertain to any disclosure of their religious notions or of their sacred books; on the contrary, I have always found them ready to impart a knowledge of these matters to any one who expresses a desire to receive it, not for the purpose of turning their peculiar notions into ridicule, but with the more rational design of learning their real and original nature. At the same time, the actual perusal of the *Védas* is confined to the sacerdotal order and the *Cshetryas*: none of the other classes are suffered to hear them read: the *Vayyas* and *Sudras* are taught from the *Paranas*. The Brahmins, however, are not very scrupulous on this head, and consider it as very immaterial who possesses the sacred books in the present age of the world, which they term the *Cali Yug*, and in which they consider all sorts of innovation and corruption as inevitable, though they still exclude the lower classes of their nation from the perusal of the *Védas*.

Possessed now of a treasure, which I had only coveted that I might transfer it to others whose knowledge of Sanscrit might enable them to make some better use of it than I could, I lost no time in sending the manuscripts to Sir William Jones, the only European Sanscrit scholar at that time in India. I have no doubt but the Asiatic Researches will soon con-

vey to the public the opinion entertained of the Vedas by a man who is far above my feeble praise; and from whose extensive learning we may expect a satisfactory elucidation of the character of the fourth or *Atharvan Véda*, supposed to be less ancient than the others, and on many other curious points connected with this interesting subject; to him I must refer you also for any further information you may at present wish to possess. The manuscripts will be delivered to you with this letter; and I have to request that, as administrator of the British Museum, you will place them in that magnificent receptacle of human knowledge, as a tribute of the veneration and respect of an in-

dividual, who though not English by birth, is connected with that country by a life devoted to its service, and looks upon it as his own. Accept the assurances of my esteem, and believe me, &c.

P. S. I hope I may be allowed to add one condition to my donation, and that Mr. Wilkins, or Sir Wm. Jones, may at any time be allowed to have either of the volumes of the *Védas* in their private possession, whenever they may require it for literary purposes. The obligations which the learned world owe to the zeal and talents of these eminent orientalists entitle them to such an indulgence.

London, May 22, 1789.

(To be continued.)

To the Editor of the Asiatic Journal.

(Continued from page 341.)

Divine revelation tells us, that mankind, in their pride of knowledge, attempted by the building of Babel to assail heaven, till the Almighty's wrath confounded and dispersed them: then it was that that ignorance had its origin, which really constitutes the savage; for, as I have before observed, it is impious to believe, that the savage is the original state of man. Whether the Mahabadian dynasty, which some think preceded the Pashdadian in Persia, be antediluvian, or only some tradition on the confusion of Babel, worked into an ingenious fable, like that of the Hindús or Greeks, the early history of no nation can be more simple and rational than that of the first few kings of the Persian monarchy immediately afterwards. The plains of Persia were, it would seem, previous to Gayúmars'

گيومرث time, occupied by a tribe of beings which its history calls *Díwáns* دیوان or *Díves*, and perhaps those identical Mahabadians, for the Brahmans admit, that they came originally out of Persia. Be this as it may, the idolatry and

wickedness of this tribe having incurred, like the ancient inhabitants of the land of Canaan, the Divine displeasure, Gayumars was made the instrument of expelling them into the forests of Mázen-derán مازندران or Hyrcania, where their learning drove them mad: and Tahmars, the third king of this first or Páshdadian race of Persian monarchs, and called the *Div-band* دیوبند or Demon-tamer, made use of them to teach himself and subjects to read and write: as his son again, Jamshíd, did to build houses, ships, and the other useful arts. All this mass of information Firdousí is minute in detailing, and though a very interesting portion of his history, has I fear been little attended to by his readers: for Gayúmars and his highlanders, when they descended from the Kurdistan mountains, were clothed in the skins of wild beasts, and at that time little better than savages: yet he and his successors soon became, not through any supernatural means, but by study and industry, the sovereigns of a civilized and polished nation; and through the agency of those demons acquired a sufficient know-

ledge of the arts and sciences in the fourth and fifth generation to be capable of erecting such works, as from specimens that remain of them at Istikhar and other parts of Persia, no age or nation has exceeded. Nor do the periods of their reigns of thirty or forty years exceed in those temperate times the bounds of human probability. But the later part of the reign of Jamshíd (for the first; and perhaps real part is correct) falls into fable; which might also be accounted for by supposing, that instead of the reign of one person, it is, like the eras of the Pharaohs and Ptolemies of Egypt, a dynasty of 150 or 200 years duration, which ended in a revolution in favour of Zohhak

ضحاک, and that he again was the founder of the Assyrian dynasty

of Persian kings. This name is the Arabian corruption of the Persian word دهاک Dah-ák, signifying, as the Farhangi Jihangirí explains it ده عیب or ten vices and blemishes, namely, 1, ugly; 2, dwarfish; 3, arrogant; 4, shameless; 5, abject; 6, scurrilous; 7, tyrannical; 8, hasty; 9, false; and 10, malevolent, obstinate, and an atheist: and it were no extravagant stretch of the imagination to fancy that this Assyrian dynasty consisted of ten kings, who were thus noted for their prominent defects, till they were wound up in the atheism and obstinacy of Bíwarasp بیوراسپ the real name of the last, who was dethroned by Firédón فریدون: thus Zarádasht Bahrá́m:

کجا شد آن فریدون خردمند * که او دهاک بست اندر داموند

What has become of the wise and prudent Firédún, who immured Dah-ák or Zohhák in the dungeon of Mount Damáwand in Máziendirán?

By the bye, Firédún was not the immediate son, as our journalists call him, of Jamshíd, but as I have already remarked a descendant of that stock, which, during this Assyrian usurpation, had lain dormant with a warlike tribe in Mount Alwand الوند. And allowing ten years for the reign of each prince of this debauched dynasty, instead of a thousand, it will thus have occupied the Persian throne only a hundred years.

Firédún's own reign is again preposterously long; but if, according to a quotation from the Tárikhi Kapchak-khaní in my last essay, the reigns of his sons Salm and Túr come between; or we may, with more propriety, suppose a succession of sons and grandsons between him and his avowed successor Manúchahr منوچهر, who

is admitted to be his descendant in the second, if not third and fourth generations; and in fact by making this concession of a father, son, and grandson, occupying the period of many of the longest reigns after him, the succession may otherwise be followed up throughout the whole five remaining Persian dynasties, without trenching much on human probability. As for instance, Kaikobad reigned 120 years, when, according to Firdousí and most other oriental historians, he was succeeded by Kai-kawás; but the Farhangi Jihangirí specially mentions his son Kai Pashín as his successor; and

the Grecian list so far corresponds with this, in stating Phraortes or Assá to intervene between Dejoces or Kai-kobad and Cyaxares or Kai-kawás. Indeed Persian as well as all other ancient history was oral; and unless the annals of his reign could be blazoned with bloody wars and foreign contests, the escutcheon of the best of

princes was likely to remain a blank.

Those Dives or Demons, after they were driven out of Persia or subdued by Tahmars, are often taken notice of by Firdousí, first in Mazendiran and afterwards in Khotin and in Chín-machín, as using the charms and spells of sorcery, other terms apparently for their superior skill in the arts, and particularly in war; which, on all human means failing them, are opposed by Rostam, Kaí-khosrú, and Ispindiyár, piously invoking the name and succour of one and the true God! Their last strong-hold in Persia would seem to have been at Bamí-Balkh, whence they were finally rooted by Ispindiyar, during the time of his exercising a sovereign authority

there under his father Gashtasp, when he established the new worship of fire throughout Khórasan and Balkh. Was it at this late period that they proceeded into Thibet, China, and Hindustan, and established the worship of Bod'h and the doctrine of the Brahmans? Long after this Alexander established a Greek colony at Bactria or Balkh; which existed for some generations after all communication had been cut off with the mother country, by the re establishment of the Persian empire under the denomination of Parthia; but no trace of that remains; and being interlopers at best, they could afford no attraction to an oriental antiquarian and traveller.

(To be continued.)

To the Editor of the Asiatic Journal.

"Audi alteram partem."

SIR:—It is observed by a foreign author, that the indiscreet zeal of a friend is frequently more injurious than the hostility of an enemy; and the justice of that position is practically exemplified in the instance of "a Veteran," to whose production of the 6th of April 1818, a place has been assigned in the twenty-ninth number of your Journal.

It is not my province to pursue this Veteran through the combination he has presented to the public of adulation and abuse; as those, on whose behalf I now address you, have received the compliment of his censure, without being so unfortunate as to suffer the infliction of his praise.

The Veteran, adverting to "the jealousy and envy which exists in the East-Indies between certain officers of his Majesty's army and those of the Company's forces," has illustrated their pernicious effects by a "circumstance," which

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he thus describes. "Certain officers of rank, belonging to the Company's service, suggested the propriety of convening a general meeting of the officers of both services then at the presidency, to consider of the erecting a monument to commemorate the victories of Wellington. But certain officers of rank in his Majesty's service (and those too very near the person of the Commander-in-chief) whose duty it was to have checked the least symptom of this jealous and illiberal temper on such an occasion, much to their discredit, fell into the same error; and accordingly represented to the officer commanding the army, that the meeting was principally composed of officers of the Company's service, and prevailed on him to dissolve the meeting, under pretext that it had not been regularly convened."

A meeting, for the above purpose, took place in Fort St. George, in consequence of the following memorandum:

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Fort St. George, 4th August 1814.—The unparalleled successes which have attended the valorous exertions of the British forces, since the most noble field marshal the Marquis of Wellington has been at the head of the army on the Peninsula, and the glorious termination of the war, in which his lordship's ability and consummate wisdom has directed the enterprize, valour, perseverance, and skill of that army to such unequalled fame, affords to the Madras army the most gratifying opportunity of congratulating that distinguished commander, in whose early career of glory they have, as an army, generally participated, and with whom so many individuals amongst them have had the proud honor of personally serving. It is therefore, with the permission of the honorable the Governor, and his Exc. the commander-in chief, proposed by Lieut.gen. Pater and several of the officers at the Presidency, that a meeting may be held at the Exchange in Fort St. George, at eleven o'clock of the forenoon of Saturday next, the 6th inst., to vote a subscription of as many days' pay and allowances as may be necessary from each commissioned rank in the army, to defray the expense of erecting an equestrian statue, in honor of the hero whose public and private virtue they all so justly appreciate, to commemorate the glorious successes to which he has been prominently instrumental, and to afford a lasting mark of the respect, admiration, and affection of this army, for the illustrious Wellington. The meeting will be held precisely at eleven o'clock on Saturday next, and all officers who may honor it with their attendance are requested to be punctual.

As every body knows the Company's officers to be necessarily more numerous than his Majesty's at the Presidency, it would have been rather a strange procedure, on the part of the King's staff, to communicate to the Commander-in-chief, as a piece of information, that the meeting would be "principally composed of officers of the Company's service," and no less singular in the Commander-in-chief to order its dissolution, "under pretext that it had not been regularly convened," notwithstanding

ing the foregoing public notice that it was sanctioned both by his Excellency and the honorable the Governor: better motives, therefore, than those invented by the malignant ingenuity of the Veteran must be adduced, to account for the dispersion of a military body, formally assembled under the auspices of such high authority.

When the permission of the Commander-in-chief was given for this meeting, the general orders, dated Horse Guards, 18th January 1810, occurred to his recollection; but from his view of the avowed object in this instance, and the general impression on his mind of the tenor of his Royal Highness the Commander-in-chief's orders, his Excellency did not conceive them to be applicable to the present case. But the general order above referred to, and particularly that part of which an extract is annexed, having been laid before him by an officer of his Majesty's staff (whose duty it was to bring such matters to his Excellency's notice) it did appear, on re perusal, to be expressed in such strongly prohibitory language, and to bear in its literal interpretation so immediately on the transaction about to be entered on, that his Excellency deemed it necessary to direct that any further steps might be suspended for the present, with a view of ascertaining his Excellency the Earl of Moira's sentiments.

Extract from General Orders, dated Horse Guards, 18th January 1810.—The circumstance of inferiors of any class of military men assembling for the purpose of bestowing praise and public marks of approbation on their superiors, implies a power of deliberation on their conduct, which belongs to the King alone, or to those officers to whom his Majesty may be pleased to entrust the command and discipline of his troops.—It is a procedure equally objectionable, whether in the higher or lower ranks of the army; and as the Commander-in-chief cannot but regard it as in principle sub-

versive of all military discipline, he trusts it is a practice which will be for ever banished from the British service, as deserving of the highest censure, and he directs officers in command to act accordingly.

In the reply from the Commander-in-chief it was announced, "his lordship could not wonder that the glorious achievements of that illustrious commander, his grace the Duke of Wellington, should have excited in those who served under him through the first scenes of his renown, an anxious desire to testify the share which their feelings took in the plenitude of his fame; but it was impossible for his lordship to discriminate the case, from the principle so fully and so necessarily laid down in the general order issued from the Horse-Guards."

Thus the question of the meeting was disposed of; and a comparison of its history, as detailed in your twenty-ninth number, with this counter-statement, will lead, even without the assistance of any "happy talent," to the irresistible conclusion, that the Veteran's peculiar "forte" is not veracity.

Having foiled him in the attempt to fasten on his Majesty's officers the imputation of openly prostituting their official influence for party purposes (on an occasion, too, connected with the most distinguished ornament of the British arms), it is next requisite to turn to the still more base insinuation, that they have essayed, by hidden machinations, to remove from office the respectable individual who has incurred the outrage of the Veteran's approbation. To this libellous assertion direct contradiction alone can be opposed: the *onus probandi* must be thrown upon its author; with whom it rests to shew, amidst the official collision sometimes arising (from the mixed nature of the service in this country) between the staffs of both forces at the head

quarters of the Commander-in-chief of Fort St. George, a single instance of personal ill-will; and to establish, by bringing them to light, that the "invidious representations" to "his honourable employers," stated to have emanated from officers of the royal army, were actually engendered any where else, than in the mischievous fertility of his own perverted brain.

The military talents of the Veteran are evidently commensurate with his veracity. He has not, indeed, had the advantage of serving "in other parts of the globe;" but it must be confessed his East-Indian experience is "altogether of a peculiar description," as it has taught him so extravagantly to confound the functions of an adjutant-general with those of a commander-in-chief. His liberality of sentiment may be collected from the judicious observation he has addressed to a general in command of an army composed of his Majesty's as well as of the East-India Company's forces, "that the commanding officer will always find it his interest to be guided by the advice and assistance of officers of rank in the Company's service;" and his consistency of conduct may be deduced from the effrontery with which that recommendation is advanced, after having been prefaced by an exordium professing to deprecate "jealousy and envy."

To conclude, the Veteran has kindly furnished epithets from which alone a summary of his qualities can be adequately framed. He is an enemy, not "of a frank, open, and manly character," but of "the insidious and lurking class," imbued with "a spirit" at once "mischievous and degrading," "unmanly and ungenerous."

—*Sua sibi gladio hunc jugulo.*

Yours, &c. VINDEK.

Madras,

October 1st, 1818.

To the Editor of the Asiatic Journal.

SIR :—That the favourite *u* of Sir Wm. Jones, and his followers, does not represent the power of *oo* generally in Europe, must be evident to all who are aware of the strange pronunciation of that letter in French only ; while this, on the contrary, seems often very absurdly denoted by *ou*, instead of our more simple *oo*. If we durst innovate so far, *o* as the emblem of this sound, would be admirably adopted, by its conspicuous simplicity, for the character *oo* in any universal alphabet and tongue.

Though the Italians may read the Latin *domus*, with the requisite *oo*s, we need not go very far from *home* to learn that *us* prevails in England, as much as the queer *œus* does in France, or among those continental nations who imitate the French and English in these different respects.

The *œu* in *manœuvre* is familiar enough on the north side of the Tweed, but almost unknown in the south ; and what is truly singular, I was lately informed, and find it to be a fact, that, in certain provinces of Persia, the inhabitants call *gool* a flower, *gul gœul*, with the frenchified twist of the *u*, so difficult of acquisition, not only by most Europeans, but the great majority of Asiatics, to whom this *u* or *œu* is no less a troublesome exotic than it appears to English organs of speech, which seldom if ever attain this letter in its Scottish perfection. To the judicious antiquary and historian this coincidence between the natives of particular places in the Persian empire and various nations of Europe, in their enunciation of the very extraordinary symbol which may be termed the French *u* or *œu*, instead of proving a matter of mere idle curiosity, might still shed some faint light on the annals of the human race, by an existing

organic affinity of peculiar intonation, that neither time nor space can wholly obliterate among families, tribes, or even national communities on the most extensive scale. The grand argument for the retention of *u* as *oo* rests on the simplicity of the first and the complexity of the last character or combination ; which I oppose with the more potent reason of utility among Englishmen, and those increasing myriads, in every quarter of the world, who are rapidly learning and disseminating our own super-excellent vernacular tongue !!!

If ever the English language be radically reformed in its present disgraceful orthography, it bids fair from intrinsic worth and other circumstances, to become the universal medium of that human intellect, which is now marching with a steady pace from the West to the East, and from pole to pole, in defiance of all physical and moral obstructions ; my solicitude therefore increases *pari passu* to represent, in the interim, all the dialects of India, rather upon a truly British, than a French or Italian plan of orthoepigraphy, in the solid advantages of which, the unborn millions of America, Asia and Africa, destined to speak, write, and think in English, may yet participate ; but to whom it could prove no great loss, were the languages of Italy and France, or any country except England, totally unknown. Every rational man must admit that one real good vehicle of thought and conversation would be a more useful conciliatory gift to humanity, than the thousand of tongues extant since the confusion of Babel ; whence wars and bloodshed have continued incessantly to brutalise mankind and desolate the earth, for objects altogether unworthy of such terrible sacrifices, from the days of Nimrod to the present

time. Sir Wm. Jones having been forced to abandon his projected consistent simplicity of characters, in respect to the formation of *sh*, *zh*, *ch*, &c. though preserved by ourselves, for an alphabetical element in *j* (*dsh*) which should have been the index to *c* alone for *ch* (*tsh*) as in *cicero* pronounced *tshitshero*; he might have somewhat relaxed in his rigid principles of Italian conformity, by preferring, in a scheme thus far inconsistent, the good old English *oo*, *ee*, to the Latin *u*, *i*, also. Such a concession would have kept his own countrymen right, as oriental colloquists at least, though at the expense of continental foreigners, who can suffer little from a wrong pronunciation, being far less interested about the eastern dialects, and natives of Hindoostan, than the people of Great Britain, in every point of view. This has always been a paramount consideration in my Hindee-Roman system; and until the English alphabet be modified, (which could easily be accomplished) on philosophical grounds for universal conveniency of speech, I see no motive whatever for deviating from a method obvious to every Briton at first sight, in deference to the whistling of a name, or to any European modes of utterance, not near so evident to English eyes and ears combined. The power assigned by me to *u*, or the shortest possible sound of *a* in wall, is ten times more prevalent with *us* than its presumed aptitude for expressing either *oo* in *pull* or *yoo* in *tube*; and this sound, so congenial with our organs of hearing, has even encroached upon the inherent legitimate rights of almost every other vowel in the alphabet, as will at once be perceived by consulting Walker's invaluable publications on English philology. The *sun* of righteousness and the *son* of man is one striking instance of the above remark, from thousands

equally apparent in every orthoepigraphical dictionary; though none of them have yet become so notorious as the unreasonable flight of this anglicised *u* into *bird*, *sir*, *dirt*, *shirt*, &c. a practice which naturally excited the indignation, many years ago, of a profound orthoepist who presented a warm remonstrance on behalf of *i*, at the daring encroachments of *u*, to Garrick, then the histrionical arbiter of polite utterance. His reply was couched in the following epigram, inimitable in any but the English tongue, upon an occasion of this kind.

If 'tis true, as you say, I have injured a letter,

I can change my note soon, and I hope for the better:

May the just rights of letters, as well as of men,

Hereafter be settled by tongue and by pen;

Devoutly I wish, that each may have his due,

And that *i* may be never mistaken for *u*.

It may now be objected to the adoption of *u*, that from my own showing, this symbol is too versatile for the office assigned it by me to denote the short *a* in the Hindee-Roman scheme; and I of course reply, that the very same objection holds good against a diphthongal vowel, which nominally and literally expresses *yoo*, being restricted to *oo*; especially when the same *u* in the great majority of English words really represents the very short sound required, whatever it may do in Italian. The mere abuse of *u* as a literal character, in a chaotic alphabet like ours, should not deprive us of its use: when limited to one power only by a uniform method of orthoepigraphy, so long and so much wanted in all languages.

I have already proved, that our injudicious mode of spelling *Turk*, *Sultan*, prevents the proper enunciation of them, as *Teorik*, *Sooklan*; which last some foreigners may

mistake, while we never can : and this alone speaks volumes on my side of the question, so far at least as relates to Hindoostan, in the application of *u* to the *ulif*, *zubur*, or *futh* in that country ; for it must be candidly conceded to purer Persian and Arabic speakers, that our *e* of *wet*, *bet*, would better designate their *elif*, *zeber*, *fethe*, according to the notions of propriety, in these points, at Ispahan and Mukku ; where we have not yet the same sway in languages, arts and arms that is now acknowledged from the Indus to Cape Comorin, by millions of the natives who employ those learned tongues, agreeably to my Hindee-Roman manner of writing them. The adversaries of this system in its *ne plus ultra* form, have lately raised a hue and cry at, in their estimation, its most glaring imperfection ; because, in compliance with the strict analytical view of our own diphthongal vowel *i* or *y* and the component parts of this very letter, as a diphthong, in the oriental alphabets, I have substituted, in the last editions of all my works, *hue* for *hy* of the former and the Jonesian *hæ* ; which, after all, is only *hue* in disguise. The combinations of *ue*, *ui*, *uy*, *ie*, *eye*, in English are all nearly resolvable into organic, literal, or pronominal *eyes*, though most absurdly denoted in the vocal series by *i* and *y* only. Such misnomers as *wy*, *yoo* for *yu*, *u*, *oo*, and the simple representatives of compound sounds, like *i*, to express *ue*, *ui*, *ae*, *ai*, must always act as the greatest banes, among many more, to correct orthoepigraphy in every language which countenances those inconsistencies in the first elements of speech ; and our orthoepists never having established systematic antidotes against them, we suffer accordingly in various ways : whence in fact a hue is given to some words of a very different die to their original complexion ; and this *hue* is the most appropriate instance

for my purpose in the whole language. I shall therefore hie after it, in spite of any Italian outcry against me to the contrary.

Hæ ! do hæ ! ti hæ ! are equally familiar in Hindoostan with *bap re bap !* resembling the interjections *ah*, *aha*, *ha*, *hah*, *ho*, *hoa*, in English, when the person oppressed bawls out for aid, justice, or pity, upon any emergency like robbery, assault, and murder ; or when he wishes instantly to attract the notice of people near him. " Hie ! hie ! " after a person in a hurry, is a very familiar exclamation ; and the sound is in reality *hæ ! hue !* which would chime so well with *cry* as to make me rather suspect that our common *hyno* and *cry* was *hue* and *krue !* till the deceitful name of *u*, *yoo*, deprived us of every cue to the original pronunciation of *hæ*, *hue*, *hie*, in this and various examples of a similar sort. The verbs to *buy*, *lie*, *hie*, would, on my principles, be written *hue*, *lue*, *hue*, conformably to Walker's theory of this diphthong, compounded, as he justly observes, of an Italian *a*, in the last syllable of *papa*, and *e* of *me*, pronounced as closely together as possible. Now the Jonesian *a* of *America* is exactly the *u* which I have adopted ; consequently *ae*, or *ue*, is the identical diphthong required ; which in prolation may have the usual shades of difference from *uce*, *ae*, to *ui*, *ai*, as long, medial, or short notes may predominate in the several intonations of any tongue.

After this exposition, it may reasonably be expected that we shall hear no more of the danger to which *Huedur* is exposed of becoming *Heudur*—*Hyoodur*—in the mouths of those who will neither dance nor hold the candle to tunes or jigs of any body's composition but their own ; though they have no objection to preserve and rivet the vulgar error of converting *Tee-poo* to *Tippu*, on all occasions. One unfortunate factotum of mine, *hurkaru*, has been changed, with-

out rhyme or reason, to *hurkaroo*, in spite of the plainest orthoepigraphical evidence in the word *kurkaru* itself; which in the first syllable proves, that whatever vocal conformity this may have with the head, there is not the least visible connection between it and the tail of a *kungaroo*; the *u* and *oo* being in reality two distinct symbols, with little or no affinity in the Hindee-Roman alphabet: thus *purdu*, a curtain, can never become *purdoo* in the opinion of thinking scholars; because to be consistent even in the most superficial notions of *u*, we must write *poordoo*, *peurdeu*, *pyoordyoo*, if guided either by the Italian or English name of *u*; and *purdu*, when regulated by the commonest power of *u* in our mother tongue; so overwhelming indeed, that it supersedes *o* here—*tongue* pronounced *tung*, and *oo* in *blood*, *blud*! but by me invariably restricted to the faintest sound of *a* in *water*, *woman*, perfectly apparent, when orthoepigraphically written by Walker *watur*, *woomun*.

This short *u*, (whence in Hindoostan the long *a* by a combined succession of *u*, *u*, *u*,) seems still to my eyes and ears the real basis of the broad prolation of *a*, common to Persia and Arabia likewise, and called *mumdoodu*, as the lengthened *ulif*, or *ukar*, now converted to *alif*, *akar*; and on this principle it is more easy to reconcile such derivatives as *kar*, *gar*, with *kurdun*, on the Hindoostanee plan of enunciation, than with the *kerden*, &c. to which I adverted in the foregoing columns of this letter: a theme that may yet clear up some of the difficulties attending the English *a* in the estimation of Scottish and Irish orthoepists, who differ essentially on the proper name of this character from the elaborate Walker and his disciples. That both *alpha* and *omega* should produce violent altercation among the philologists of various nations, is not wonderful, when we advert to the

fatal effects of the consonants *s* and *sh* on the children of Israel, and see that the descendants of Ishmael have indignantly discarded the last vowel of the Greek alphabet *o* from their literal nomenclature entirely, *oo* being deemed by the Arabians a polished sound, while *o* on the contrary they despise as barbarous and unknown. From this wreck of discordant elements in all languages and their complete abecedarian chaos, however arduous the task to most men may be, it is not wholly impossible to elicit a rational alphabetical superstructure, comprising all the unexceptionable materials of each system, and carefully excluding every ingredient of an absurd or equivocal construction. Such an enterprise, founded chiefly on the Sanskrit theory of elementary sounds and their symbols, has been the object of my ambition for many years; and it has actually been brought to so much perfection, that the Roman series of letters, properly modified and combined, may in future be hailed as a universal method for communicating the true pronunciation of every known language in that or the Italian form alone. I heartily regret my total ignorance of the Gaelic at this particular period, when a new grammar and extensive dictionary are on the anvil, to confer on that interesting dialect something more than "a local habitation and a name;" by furnishing its admirers at once with a philosophical system capable of expressing every word that the English, Erse, Irish, or Scottish tongues contain, upon orthoepigraphical canons as unalterable as "the laws of the Medes and Persians," but all-comprehensive in their application to the most capricious orthoepy.

Should this intimation strike any of the Gaelic literati forcibly enough to produce a correspondence in your useful Journal, the result may go much farther than the mere *abecs*; as I have already

discovered an unexpected coincidence between the present of the indicative of the substantive Hindoostanee verb *hue* and the Gaelic *ha*, *is*, &c. which of course induces me to expect many more on the very threshold of human speech, either when man was in the first cradle of nature,—or gradually emerging from the ruins of those arts and sciences, which some terrible con-

vulsion of a moral or physical species had intermediately overwhelmed among his distant progenitors. My paper dictates, with a concomitant sense of propriety, which should direct every essayist, that it is high time for me to stop, and remain,

Yours, &c.

J. B. GILCHRIST.

March 6th, 1819.

To the Editor of the Asiatic Journal.

SIR:—You have often had occasion to give publicity, through your journal, to the horrid circumstance of Hindu women burning themselves with their husbands, but perhaps never that of their descending into the grave with them; if you, therefore, think proper, you may give the accompanying a place in your next.*

Your's, A. B.

April, 1819.

A few days ago the following most shocking and extraordinary instance of Hindu infatuation occurred at Poonah. A man of very low caste (the *Frost*) died, and his wife signified her wish to be burnt alive with him, and applied to the Paishwah, through the Brahmans, for his permission to be allowed to ascend the fiery pile, which his highness refused, in

consequence of both her and him being of so low a caste. She then applied to be buried alive with him, in which the Paishwah, after having consulted his Brahmans, was graciously pleased to acquiesce; and this poor infatuated wretch was actually buried alive with her dearly beloved husband, whose head rested on her knees, she being placed in the grave in a sitting posture. The grave was dug the usual breadth from the feet to the shoulders, and at the head there was a place made sufficiently large to admit of her sitting upright, being covered over the head with pieces of planks, so as to prevent the earth falling in upon her. In this horrid situation, she with the dead body was covered over with earth, and left to linger out the few remaining hours she could possibly exist, so many feet under ground, bewailing the loss of the departed. She was heard for a considerable time by the by-standers praying to the Deity; and once when a certain great personage passed by, whose chudars (mace-bearers) she most likely heard, she cried out "*rum rum*," which means a benediction. This horrid circumstance happened at Poonah in January 1808.

* The date of this account would exclude it from insertion, as a piece of local intelligence; but we admit it on the higher ground of its contributing a fact which affords a subject for reflection to the moral philosopher, and which, if an historian were to collect materials for a work "*On the Spirit of Religions*," ought not to be omitted.—Edit.

To the Editor of the Asiatic Journal.

SIR:—The conduct of the corps of Irregular Cavalry which were taken into the service during the late Marhatta war, (under Lord Lake) was such as I conceived would effectually prevent any corps of the kind being ever formed

again for military purposes: but from various causes, unnecessary here to notice, and the changes in government, these events appear now to be nearly forgotten, except amongst those who were actively employed during the late

war. It may therefore be rendering a useful service to government and to the honourable Company, to rescue from oblivion some of those affairs, at least so far as to prove the inexpedience and waste of public money occasioned by the forming of corps of irregular cavalry; and as I gave in to Lord Wellesley, a little before the breaking out of the late war, the first plan for raising a corps of irregular horse, it appears to be particularly incumbent on me to bring forward such information as my subsequent experience has enabled me to acquire. The principle upon which I took the liberty of recommending the formation of corps of irregular cavalry was perfectly well understood by Lord Wellesley. General Perron had in his service in the Doab, under the command of Captain Fleury, upwards of six thousand irregular horse, better mounted and equipped than any corps of that kind in the service of natives usually are. Scindia, the Nagpore Rajah, Holkur, Ambagee, and other Marhatta chiefs, had in their pay, at that time, from one hundred and fifty to two hundred thousand irregular horse of various descriptions; exclusive of these, the Jaats of Burtpore, Moorsan, and Hattrass, had brought, as feudatory chiefs, to the aid of Perron, from four to six thousand horse. To oppose all these there were but three regiments of dragoons and six of native cavalry. Hence it became necessary to form a few irregular corps from the inhabitants of Oude, the Doab, and Rohilcund, then in the service of the Marhattas, partly to support and make up for the deficiency of numbers of the regular cavalry, and partly to destroy the confidence of the Marhatta chiefs in these troops, which were then chiefly composed of the inhabitants of our provinces and Oude: and these objects were completely effected.

The first time our cavalry had

an opportunity of coming in contact with that of the enemy was on the 29th August 1803. General Perron's cavalry, with the Jaat auxiliaries, were drawn up behind a jeel (a morass) in the vicinity of Alyghur: but although three or four times more numerous, they fled upon the advance of our regulars, taking shelter under the guns of Alyghur; and in the night, the Jaat horse returned to their homes, and Perron with his cavalry fled to Muttra.

A few days afterwards they (Perron's cavalry) made a feeble attack on a detachment of Sepoys stationed at Shekoabad; but on the appearance of a regiment of dragoons and two of native cavalry they dispersed, General Perron with his body guard, and Captain Fleury having in the mean time surrendered to Lord Lake. The wreck of this cavalry corps afterwards came over to the British camp, and were formed into a corps under the command of Captain Lucan; and Captain Skinner (both officers had been in the Marhatta service) got the command of a corps about this time: also Captain Gardiner, who had come over from the Jeypore service towards the middle of the year 1804. Colonel Monson was left on the Jeypore frontier, in command of five battalions of Sepoys, three thousand irregular horse under Captain Lucan, and a corps under Captain Gardiner; with this force the Colonel advanced beyond the Makundra Pass in pursuit of Holkur: but finding it necessary to retire, Lucan's corps was left in the rear to cover the retreat; and Lucan having been attacked, wounded, and taken prisoner, (he died of his wounds soon after,) his corps dispersed, and were no more heard of. In the retreat to Rampoor Gardiner's corps of irregulars went off also. When I joined Colonel Monson at Rampoorah, August 1804, there were then, of both corps, only about sixty horse.

men remaining. Colonel Monson continuing to move toward Agra, we were completely surrounded by the whole of Holkur's cavalry at Kooshalghur. Late in the evening, when we moved out to force our way through Holkur's parties, nearly the whole of my corps (of irregulars) abandoned me; and Captain Gardiner, availing himself of the darkness of the night and his knowledge of the Jeypoor country, escaped with the few horsemen that remained with him to Jeypoor, which he reached in safety. In the following month of September, Holkur assembled the whole of his army between Deigh and Muttra, threatening a detachment posted at the latter place, under the command of ———; who deeming the post untenable, determined to retire to Agra, by a forced march (thirty-two miles). During this march three or four hundred men of Captain Skinner's corps, which formed part of our detachment, deserted; and as they went off plundered the baggage. This movement caused a considerable alarm in Holkur's camp, where an attack was expected, and not a man of his moved to interrupt the march. From the foregoing brief statement of facts, it is very evident that corps of irregular cavalry are not to be depended upon; that whenever they are pressed by difficulty or danger, they will invariably abandon their posts, and at the moment too when their services are most particularly required. The formation of the five corps of irregular cavalry which lately appeared in general orders, together with Captain Gardiner's corps, costs the Company upwards of twenty lacs of rupees per annum; a heavy sum for a useless corps. The men individually are as brave, and when plunder of magnitude is in view, as enterprising and desperate, as any other natives of Hindoستان; but while the horses, arms and equipments are their own property,

it is not rational to expect that they will act with that spirit, alacrity, and attachment to the service, which distinguish the regulars, who are trained up from their youth in their respective corps, and scarce know any other home. The regular corps, too, have the advantage of intelligent European officers; which every body knows to be the life and spring of all corps, but particularly of native corps in India. And are the savings to government arising from enlisting irregulars so great as to be balanced against the infinitely superior efficiency of smaller corps of cavalry disciplined according to European tactics? I trust no one will say they are. The regular corps, including the pay and allowances of the European officers, stand government in about forty rupees per month for each individual; and the irregulars, about thirty per month each individual. In fact, the chief expense of the regular corps is the European officers: take them away, and the pay of troopers (including native officers) syces, grasscutters, expense of grain, purchase of horses, arms and accoutrements, &c. &c. will not, at an average, cost government twenty-five rupees per month for each individual horseman; but in proportion that you take away the European officers you take away the efficiency of the corps. The twenty lacks of rupees expended upon this rabble of irregular cavalry would maintain four brigades or eight regiments of regular cavalry, upon the old establishment of seventy privates per troop:—and that was the best and most efficient establishment we ever had; because the native commissioned and non-commissioned officers and privates bore a due proportion to each other; and the troops and squadrons were of the proper strength for manœuvring either on the parade or in the field. The troops have lately been increased to one hundred and twelve

privates per troop, without the addition of a single commissioned officer. This surely is adding to the numbers without adding to the efficiency : on the contrary, by making squadrons more unwieldy, departing from the due proportion of non-commissioned officers to privates, the real efficiency of the corps is diminished. The question now seems to be, Whether it is most advantageous to government to maintain eight regiments of regular cavalry duly organized (five hundred men in each) and capable of being brought to the highest state of discipline ; or five corps of irregular horse (one thousand each), badly mounted and equipped, incapable of being brought to any tolerable state of discipline, and which from experience we have every reason to think will fail us, whenever brought to the test? Out of nearly six thousand

(a very small number compared to what has been raised since or taken into pay) cavalry now in our service, I will engage that five hundred sound horses, fit to mount a trooper, would not be selected by any committee of cavalry officers. In short, the only use which can be made of the irregular cavalry is to take those duties which would be injurious to the discipline of the regulars, viz. honorary escorts and orderlies for the residents at Delhi, Lucknow, and at Scindia's court, the judges of the provincial and Zillah courts, the collectors of land revenue and for the police department. For these purposes they are well calculated ; but to form a part of an efficient army against an enemy they are totally unfit, as experience has repeatedly proved.

A BENGAL CAVALRY OFFICER.

To the Editor of the Asiatic Journal.

SIR :—The great events which have recently happened in India have not arisen from blind chance, and would seem to indicate that this nation is destined to be the means of effecting wonderful changes in that distant country. It is incumbent on us to pave the way to a general moral improvement of the minds of the natives : with this view, as a primary step, I would recommend the establishment of schools for teaching the English language. The reading of the Scriptures, or of any of our religious tracts in these schools, would create a jealousy which would militate against the great object in view. Nothing ought to be read there, excepting the history of the country, and an abridgement of universal history. Let means be taken to teach the natives our language, and their own curiosity will induce them to read the Bible ;

when knowledge and civilization will advance hand in hand, and at length will introduce the belief and exercise of Christianity among them.

To shew the necessity of proceeding with great caution and discretion, permit me, Sir, from my own observations and information, to draw an imperfect picture of the enslaved state of the human mind in that unfortunate quarter of the world : adverting only to some prominent superstitious enormities less generally known than the evident deplorable condition of that idolatrous country. The aberrations of the human intellect, and a perversion of reason amounting to moral insanity, no description can reach. Such melancholy facts, to be adequately impressive, must be actually witnessed ; as better expressed in another language : "*Segnius irritant animum demissa per aures, quam quæ sunt oculis*"

subjecta fidelibus." In India, Sir, we now rule over seventy millions of natives, happy under a British government, as far as security of person and property is concerned; but otherwise, with the few converted exceptions, involved in the most shocking, revolting, and criminal superstition. I pass over the cremation of widows on the funeral pile of their deceased husbands; the crushing of human beings under the chariot wheels of idols; the swinging in the air, on iron hooks, passing under the sinews, near the vertebræ of the back; and the self-inflicted tortures of a species of Hindoo monks, called Fakcers. In these cases of insatiation, the vanity inherent in human nature is artfully excited to an enthusiasm rising to mental derangement; and, in general, the feelings are stimulated or obtunded, by intoxicating or stupifying drugs. Their mythology is infinitely more extravagant and absurd than was that of the Greeks and Romans; and much more marked by a grossness, sensuality, and depravity, which will not bear description. The number of Hindoo gods is not fewer than one hundred and thirty millions: almost every object in nature is worshipped; as animals nearly of every description, mountains, rivers, rocks, trees, plants, and even stocks and stones. This is, in fact, a perverted, erroneous, and lamentable adoration of an unknown god, through a false view of his works. Cruelty is the distinguishing feature of their worship: children are sacrificed by throwing them into a river; by suspending them in baskets from trees to perish by hunger, or to be destroyed by the birds of the air; and by being thrown to alligators to be devoured in the sight of their parents. The aged and infirm are conveyed to the banks of some sacred stream, where they are left to be carried away by the tide, or are otherwise cast into the stream, after having been previously half-suffocated with

slime and mud. Many of those who read this have, almost daily, seen their dead bodies floating along with birds perched and feeding on them, or devoured by vultures where cast on shore. It has been recently well ascertained, that human sacrifices constitute a part of the horrid ceremonies of their religion; it is to a goddess that these victims are offered up. In that country we see "Helen's beauty on the brow of Egypt." The handsomest young females that can be selected are appropriated for these dreadful sacrifices, as the persons to be immolated in honour of this blood-thirsty divinity must be without blemish and of comely appearance. One such sacrifice pleases for a thousand years; but if three be offered up simultaneously, the officiating Brahman declares, that this goddess will remain propitiated and appeased for one hundred thousand years. We have now, Sir, the most decisive evidence, that the whole is an artful tissue of childish, cruel, and stupid idolatry, in which the Brahmans themselves have little or no faith, but which they carry on with all the mummerly of apparent sanctity and sincerity, while their private lives are stained with every description of vice. These hypocritical priests, devoid of all real piety and religious reverence, well know the absurdity of their mythological system; and actuated only by motives of vanity, self-interest, and personal gratification, they studiously keep the minds of the people in the lowest state of degradation, ignorance, and servile, debasement. Who in hearing all this, and more, will say that moral exertions are unnecessary; that the education of the poor at home and abroad is erroneous; and that the intended dissemination of judicious extracts from universal history, shewing the weakness and folly of idolatry in all ages, will be fruitless and useless?

The hand of Providence, Sir, it

would appear, has guided the able military combinations which have been crowned with such signal success in British India. The politician, in such events, sees an increase of prosperity and power, while the Christian contemplates them as leading to vast moral consequences. The Christian religion, which brought life and immortality to light, dispelled the darkness in which the human mind was enveloped by the polytheism of Greece and Rome. This mythology, though erroneous and founded also on human prejudices, passions, and feelings, was, if the word can be used, more rational than what is imperfectly described, and had a sort of negative merit of classical taste. The strong-minded, half-enlightened philosophers, and elegant poets of those days, inculcated sentiments of moral instruction, that approximated, in some degree, to revealed truth; for instance, one of their poets has these fine precepts: "*Orandum est, ut sit mens sana in corpore sano: Fortem posce animum, et mortis terrore carentem.*" An ancient philosopher, on the subject of moral information and of addressing the Deity, writes thus beautifully; "*Sic vive cum hominibus, tanquam Deus videat: sic loquere cum Deo, tanquam homines audiant.*" Their writings abound with similar ethical precepts, expressed in comprehensive and elegant language. Such men, though ignorant of the immortality of the soul, had got near the truth; and were well prepared to be illumined by the full light of Christianity.

In conclusion, Sir, let me mention another remote part of our possessions frequented by few; where the miserable natives feed with savage gratification on prisoners of war, or on victims guilty only of some venial transgression. This, indeed, is the climax of human barbarity! Having had occasion to visit most quarters of the globe, my professional pursuits carried me to the

north-west coast of the Island of Sumatra, where the making of some observations connected with marine surveys led me somewhat into the interior of the country. Passing through a town belonging to a people called Battas, and who are cannibals, I observed a middle aged person enclosed in a strong, square, wooden cage. On each side of it there was a pole fixed in the ground having a human skull on the top. On inquiry I ascertained, that these had been the skulls of two of the wives of the prisoner; these unfortunate females had belonged to an inimical tribe, and had been publicly sacrificed and devoured by these cannibals the preceding year. The prisoner had an unconcerned appearance, and was carelessly masticating the usual beetel-nut composition. To other alleged crimes he had added that of having contracted debt which he was unable to liquidate. He was confined and well fed, in order to be publicly feasted on in the course of a few weeks. On an appointed day, the wretched victim is led out and tied to a stake; after a variety of horrid ceremonies, they discharge a shower of darts at him; rush in on him, with hideous yells; cut the flesh from his yet palpitating limbs; and, with a savage and frantic delight, devour it with a mixture of lime-juice and salt. Even the female sex, habituated to think that they are acting meritoriously, participate in these dreadful excesses. The servants of the East-India Company, with the benevolence characterizing them, have frequently redeemed, or bought off, these poor creatures, till it was found that their humanity was absolutely a bounty on cannibalism.

If we are to credit Diodorus Siculus, and one or two other historians, our own unenlightened ancestors were marked by a ferocity of manners, and supposed to be Anthropophagi. "*Ferocitate excellunt ad arctum remoti; et*

homines etiam vorare dicuntur." I make the quotation willingly, to shew the contrast of civilization arising from Christianity; and the encouragement afforded to apply

it to nations in our former state; in order to render them what we are, seeing what we were.

THREE STARS IN THE HOUSE.
Exeter, March 1819.

To the Editor of the Asiatic Journal.

SIR:—From the designation under which I present this letter, you will observe that I am privileged to take part in the various discussions, which, from time to time, are carried on in Leadenhall Street; and though I am punctual in my attendance upon those occasions, yet, as I have never been in the habit of speaking before a public assembly, I content myself with being a silent auditor.

I was present, Sir, at the very interesting debate which took place at the India House on the 4th of Feb. last, on the vote of thanks to Lieut. Gen. Sir Thomas Hislop. I listened with great attention to the several arguments which were advanced on the subject, and particularly to those which were conveyed in the impressive and eloquent speeches of Mr. Hume and Mr. R. Jackson. A few observations occurred to me, as deducible from those arguments and from the documents which were read; and I now venture to offer them through the medium of your impartial publication, under the hope that, though they may not be deemed of any considerable weight, they may, nevertheless, claim some small share of attention.

In the general sentiments expressed with so much candour and so much perspicuity by Mr. Hume, I most cordially acquiesce; they evince, on the part of that gentleman, a lively interest in our national honour, which cannot be too highly appreciated; they evince, at the same time, a delicate feeling for the public reputation of the brave and gallant officer, whose conduct was the theme of discus-

sion, and upon whose merits there must be unanimity, when public opinion is once liberated from that degree of restraint which must necessarily be imposed upon it, as long as the affair of Talnier shall remain unexplained.

No man can hope more sincerely than I do, that this explanation will shortly be received, and that it will be such as completely to clear up the mystery in which the transaction is at present enveloped; in the mean time, it is much to be regretted that any chasm in our Indian correspondence, or any irregularity in the transmission of dispatches, should have left the public mind in such a state of doubt and uncertainty, as to retard the offering of that full meed of gratitude which I trust will ultimately, and unreservedly, prove due to the commander-in-chief of the Madras army; and it is still more to be lamented that the communications which have been already received, are not sufficiently replete with a detail of the proceedings which led to an act that appears *primâ facie* one of extreme severity.

It has been urged, if not in Leadenhall Street, in one of the houses of parliament, that in this transaction there has been no concealment. That there has been no intentional concealment, I am ready to admit; but, inasmuch as the advices before us are deficient, in point of information, as to *all* the circumstances which called for such an exercise of power, I do maintain that there has been concealment, and that if the first intimation of the fact had been accom-

panied by an explicit narrative of every thing that led to it, it would have relieved the public from that anxiety which the bare mention of such an occurrence could not fail to excite.

There is another point which has been urged in extenuation of this (to use the mild epithet of the honorable proprietor Mr. Hume) unfortunate act; viz. that it had been fully approved by the noble Marquis at the head of our Indian administration. But much as I value the character of that exalted nobleman, and much as I should consider any act to be mollified by his superior approval of it, I certainly cannot consider that, in this instance, his Lordship's approbation was *an unqualified one*; for we find that in a fortnight subsequent to his approval of the proceedings at Talnier, he gave directions with regard to the course which should in future be pursued on similar occasions; namely, "that individuals so circumstanced should be tried by a court martial, by whom their sentence was to be pronounced: if found guilty, they were to be sentenced to imprisonment and hard labour; and if ever found *again* exciting resistance, to be punished with death."

These instructions were doubtless formed upon a wise, liberal, and humane policy, which shewed his Lordship's disposition *parcere subjectis et debellare superbos*: but the inference which I draw from them is this, that although his Lordship might virtually have sanctioned the proceedings at Tal-

nier, yet that the very summary mode of punishment which had been resorted to at that place, was not quite reconcileable to his feelings, or, otherwise, why should he at that protracted period of the warfare deem it necessary to issue such specific injunctions, unless with the view of averting the recurrence to that hasty measure of vengeance which had been so recently adopted.

It is possible I may be wrong in this inference, but I hope it will, at any rate, be deemed a reasonable one; and I shall now quit the subject, under the pleasing consolation that the lapse of a few weeks will put us in possession of that information for which the proprietors at large are so solicitous.

When I apologize for thus intruding myself into your valuable pages, I trust that nothing I have advanced will be construed into a prejudication of the case, or into a disparagement of the high and acknowledged reputation of the officer in question. I have merely had recourse to this mode of communicating the sentiments with which I am impressed, from my avowed incompetency to deliver them in my proper place, where I feel sensible that I labour under all the disadvantages which a person naturally feels, who possesses not those powers of eloquence which are so irresistibly attractive in others.

I am, Sir, &c.

A PROPRIETOR.

London,
April 5, 1819.

MEASUREMENT

OF AN ARC OF THE MERIDIAN IN INDIA.

MANY of our readers are probably aware that a trigonometrical survey of India has been going on for a good many years, at the expense of the British government in

that country, and under the superintendence of British officers well qualified for performing a task of that kind. Lieut.col. William Lambton, F.R.S., of the 33d reg.

foot, took the opportunity of this survey to measure, at different times, an arc of the meridian from north latitude $8^{\circ} 9' 38''$ to north latitude $18^{\circ} 3' 23.6''$, being an amplitude of $9^{\circ} 53' 45''$, the longest single arc that has ever been measured on the surface of the globe. The full details of this great measurement are partly contained in the 12th volume of the Asiatic Researches; and will be partly inserted in the 13th volume of that work, which will not probably be published for these three or four years. Col. Lambton has inserted an abstract of the principal results into a paper, which has been published in the second part of the Philosophical Transactions for 1818. From that paper we take a few interesting facts, on which are built direct inductions.

1. The mean length of a degree due to latitude $9^{\circ} 24' 44''$ in fathoms, is 60472.83

The mean length of do. due to lat. $12^{\circ} 2' 55''$, is 60487.56

The mean length of do. due to lat. $16^{\circ} 34' 42''$, is 60512.78

Thus we see that these measurements show the degree lengthening as we advance towards the pole. In this respect they agree with all preceding observations, which demonstrate that the polar axis of the earth is shorter than the equatorial.

2. Col. Lambton has shown, by a comparison of his measurement with the length of a degree as determined in France, in England, and in Sweden, that the compression at the poles amounts to $\frac{1}{310}$ of the length of the axis.

3. From the preceding compression of $\frac{1}{310}$, Col. Lambton has calculated the length of a degree of latitude from the equator to the pole. The following table exhibits the result of this calculation. The last column of the table gives the

length of the degree of longitude at the latitude indicated in the first, in fathoms.

Lat.	Degrees on the meridian.	Degrees on the perpendicular.	Degrees of longitude.
0	60459.2	60848.0	60848.0
3	60460.8	60848.4	60765.0
6	60465.6	60850.1	60516.8
9	60473.5	60852.8	60103.6
12	60484.5	60856.5	59526.7
15	60498.4	60861.1	58787.3
18	60515.1	60866.7	57887.7
21	60534.3	60873.2	56830.0
24	60556.0	60880.5	55628.1
27	60579.8	60888.5	54252.0
30	60605.5	60897.1	52738.4
33	60632.7	60906.2	51080.2
36	60661.3	60915.8	49281.9
39	60690.8	60925.7	47348.2
42	60721.3	60935.7	45284.0
45	60751.8	60946.1	43095.4
48	60782.3	60956.4	40787.8
51	60812.5	60966.5	38367.5
54	60842.1	60976.5	35841.1
57	60870.7	60986.1	33215.4
60	60898.0	60995.2	30497.6
63	60923.7	61003.8	27695.2
66	60947.5	61011.8	24815.7
69	60969.1	61018.9	21867.2
72	60988.3	61025.6	18857.9
75	61005.1	61031.0	15796.0
78	61018.9	61035.8	12690.1
81	61029.9	61039.5	9548.7
84	61037.8	61042.1	6380.6
87	61042.6	61043.7	3194.8
90	61044.3	61044.3	—

4. From this table it appears that the length of a degree of latitude at the poles is 68.704 English miles

At lat. 45° 69.030

At lat. 51° 69.105

At lat. 90° 69.368

So that the mean length and degree of latitude is almost exactly 69 miles and $\frac{1}{10}$ th of a mile. Of consequence, the common estimate of 69 miles and a half to a degree is very erroneous.

Col. Lambton is in hopes that the measurement of the arc will be continued still further north, and that at some future period it may be extended to Delhi.

CONTRIBUTIONS TO INDIAN BIOGRAPHY.

THE following are extracts of several letters dated from Muthora, written in the course of July 1818. They furnish some contributions towards a biographical account of Jean Baptiste, and other individuals who have acted conspicuous parts in the Central and Upper India.

JEAN BAPTISTE FILOZE.

Jean Baptiste Filoze, Donlut Rao Scindia's principal commander, had in charge several extensive districts in the province of Malwa, most of which he had brought into subjection to his master: the revenues of these countries were applied to the payment of his troops, which

consisted of 12. batts. of sepoys, a few cavalry, and a large train of artillery. He had been carrying on a warfare against Jee Sing, a Gírrasia chief (the old Hindoo Pindarce tribe), whose extensive possessions he had subjugated. Jee Sing is a most daring, active, enterprising soldier, and gave great annoyance. About the time the British army took the field, or a little before it, Arratoon, an Armenian officer of Scindia's, was detached from Gwalior with three or four battalions to reinforce J. B. Filoze. Arratoon had some success at first; and Jee Sing retired to the jungles, waiting the result of the Pindarce war then commencing, hoping to form a connection with the British government and regain the possession of his country.

When the British grand army was approaching the Sindé river, Baptiste (as he is commonly called) was summoned to Gwalior; ostensibly to be consulted on the measures proper to be taken. He came attended only by a few hundred men, and was received in the most distinguished manner; a splendid khelat, the title of general, with the privilege of beating the nobut, and a handsome jaghire, were conferred on him; and he appeared to be in high favour and confidence at the Durbár.

Some short time after the grand army had retired, Scindia, finding his troops clamorous for pay, called upon Baptiste for an account of the revenues he had collected for many years past, and how the receipts had been appropriated. As an answer to this demand, Baptiste pretended that he had large claims against the Sircar, for the pay of his troops, beyond what the revenue produced. Scindia was much dissatisfied, and ordered him into close confinement, where he remained for some months, having been deprived of his command, which was conferred on Arratoon. At length, through the intercession of some native friends, Baptiste has obtained his release, and been allowed to retire in a private character to his jaghire at Soopore. How long he will be allowed to retain his jaghire, depends of course on the caprice of Scindia.

Baptiste's troops were much discontented at being placed under the command of Arratoon (as the natives entertain a most contemptible opinion of all Armenians as soldiers); and his Dewan, who was also dissatisfied, placing himself at their head, opposed Arratoon. An engagement took place a short time ago, in which Arratoon was completely defeated, and some hundreds killed and wounded on both sides. Scindia is believed to have urged on underhandedly both parties, in order to get rid of the clamour (of at least a part of the troops)

for pay. Such is the policy of all Hindoostany durbars. It is yet unknown which party's cause he will espouse.

GOKUL PANUK JEE.

To this minister Scindia is much indebted, as he uniformly recommended peace on any terms with the British government, and prevented his joining in the measures which have been the ruin of the other branches of the Mahratta state.

Gokul Panuk Jee had long been the finance minister of Dowlut Rao Scindia, but falling into disfavour with Bajee, Bhaye, Scindia's favourite wife, she urged his dismissal from office; which not being immediately complied with, she retired in anger from Gwalior, to the distance of five or six coss. Scindia followed a few days after, and having agreed to execute her advice, she was reconciled and brought back, and Gokul Panuk's office was transferred to Jold Raje, a wealthy Mahajun connected with the court. Gokul Panuk, soon after being dismissed, proceeded on a pilgrimage, leaving Munnee Ram, whom he calls his son, and who has acquired great wealth, in charge of his affairs at Gwalior, and to assist his friend Jold Raje in conducting the public business; as he has many enemies at court, and has sent large sums of money into the Company's territory, it is probable he may not return, but take up his residence at Benares.

Gokul Panuk has no children, and but one brother, who has no talents, and with whom he is on bad terms. Jold Raje and Munnee Ram may now be considered as the ministers of Dowlut Rao Scindia, and are well disposed to peaceable measures: but they are opposed by a powerful faction, at the head of which is Hindoo Rao and Bajee Bhaye, the son and daughter of the late Soorjee Rao Gwatka, whose turbulent spirit and violent temper and prejudices they seem to inherit.

Jold Raje is an old man; he has a son, Ramnarin, who has two sons, Birdee Chund and Manick Chund. This family have had a banking-house established at Agra, under the firm of Jold Raje Birdee Chund, for many years. Another banking-house was established at Agra about two years ago, under the firm of Birdee Chund and Manick Chund: but these young men reside at Gwalior, and Ramnarin appears to direct the business of both firms.

The jagheer money, amounting to 12 or 13 lacs of rupees per annum, has hitherto been paid by drafts of the Resident on Agra, Delhi, and Futtý-Gurh; and as the Gwalior Siroffs have had the negotiating of these bills, they have made an immense sum of money by them. The influence of these people at the court of Gwalior is very great; and as it is obviously their interest to preserve peace,

the conduct of Dowlut Rao may have been mainly directed by that influence. It is however evident, that there is no probability of his changing this line of conduct in future.

Scindia has no son, but has two daughters, married into families which are at mortal enmity with each other; this may lead to serious consequences hereafter; but he is a young man, and though much debauched, may live for many years.

Gokul Panuk has been for some time at Binderabund, engaged in religious ceremonies; when they are finished he proposes visiting the Ganges and Buddorce Naute, in the northern hills, to which vast numbers of pilgrims have resorted this season.

RUNJEET SINGH.

Runjeet Singh, the Seik chief of Lahore, has long been desirous of obtaining possession of Maultaun; and after failing several times, he has lately succeeded. The Nabob who defended it was killed, and the town and district is now completely in the possession of the Seiks; and as they have shut up the intercourse through the Punjaub with the northern nations of Asia, they will no doubt follow the same policy with the route across the desert;

hence all intercourse with these nations will be completely cut off, except by the seaport of Curratchy and by Belochistan.

Runjeet Sing's supremacy over the other Seik chieftains of the Punjaub has only been established within the last fifteen years, and they bear his yoke with great impatience. He is certainly a man of good abilities, and very prudent, and there is no doubt but his power will last as long as he lives; but his death, in all probability, will give rise to violent commotions all over the Punjaub. He has three sons grown up men, Curruck Sing, Sheik Sing, and Tara Sing. Curruck Sing he designs as his successor, but as yet Curruck has shewn no sign of possessing talents, though frequently employed; it is therefore doubtful whether he would be able to preserve his father's power, even if he had not two rival brothers to contend with. It is hence probable that his reign will be very short, unless he calls in the aid of a British subsidiary force, which alone can support and continue the dynasty in the government of the country. This connection would bring us forward to the Indus, and secure that intercourse with the northern nations of Asia which would promote and extend British commerce.

DR. CORBYN'S TREATMENT OF THE EPIDEMIC.

ABOUT the beginning of last July there appeared in the *Bengal Hurkaru* an anonymous communication, stating that Dr. Corbyn's practice in the treatment of the epidemic, as detailed by himself in a professional letter officially circulated, (See *Asiatic Journal*, vol. VI. page 472), had been adopted in cases occurring in some parts of Berar, and found unsuccessful. At the same period, Dr. Corbyn received from a medical friend a letter, candidly stating his failures after following the same prescriptions, and proposing some queries. The first might have been disregarded, as there was no evidence that the writer was a medical man: but the second induced Dr. Corbyn to publish a letter in the *Hurkaru*, dated "Sagur, 14th July 1818;" which contains a practical summary of the causes of failure. We have separated from the introductory remarks this substantial part of the reply, to present it in a condensed form.

The first cause of failure has arisen from wanting means to prevent patient procuring cold water; such prevention is

only attainable by placing sentries over all entrances to the hospitals, so that no water can be conveyed to them by stealth. Thirst is a symptom so urgent and insidious, that a patient, to allay it, will sacrifice every other consideration; and hence a number of lives have been lost.

The addition of strong stimulants to my prescriptions has been another cause of their inefficacy.

Preventing sleep, by the use of frictions to the extremities at improper periods, has been too frequently the cause of early death. Dr. Corbyn had the good fortune to witness the recovery of every patient that fell under his care, who had slept for seven hours. When he awoke he was nearly well; on the contrary, under the operation of remedies by which sleep is prevented, a patient will almost invariably sink. Keeping the patient awake to irritation by the use of the warm bath at an improper juncture, is, on the same principle, erroneous.

Delay in reporting the attack of the disease is another cause of failure. Dr. Corbyn has known gentlemen's servants attacked whilst in attendance on their masters, who have died, although medicine was administered on the instant.

On strict investigation, however, it was discovered they were previously unwell, and had been drinking large quantities of cold water. The predisponent symptoms were looseness of the bowels and spasmodic abdominal pains; but these unfortunate victims had not considered themselves sufficiently ill to render complaint necessary. The danger of delay in reporting is peculiarly marked in the cases of Sipahes taken unwell whilst on sentry duty, generally at a distance from the hospital. Time is lost in sending for a dooly, which is perhaps not at the moment procurable; even if directly obtained, there is still a delay; going to the spot where the patient was attacked, and returning to the hospital, occupies the most important periods of the disease. The sipahes will, notwithstanding, tell you: "he is but just affected."

Want of proper covering to defend the sick from atmospherical variations operates prejudicially to their recovery.

The question naturally follows: "How were you enabled to prevent these bad effects?" Dr. Corbyu replies: "My patients were camp-followers and servants of the division staff.* My native doctors

were so disposed along the line of march as to pick up persons attacked, on the very spot; and carriage and medicine were directly supplied and administered. Four sentries were placed at each door of the hospital tent, so that not a drop of water could be conveyed within it but by my sanction; and I was particularly indebted to the commissariat for plentifully furnishing me with blankets and other requisite articles.

"Respecting the paper that was published, containing my mode of treatment, I have only to observe, it was but a mere outline of my practice, written at a period when the pressure of my professional duties did not admit of my entering amply into detail. There are some, the peculiarities of whose habits and constitution require larger doses of laudanum before sleep can be produced. In short, my after-experience in the disease fully justifies the assertion, that the discrimination of a medical man is necessarily called forth in the application of my remedies—and as much so—as in the common routine of his avocation; where if such discrimination is permitted to lie dormant, failure will very probably ensue."

* Centre division.

SHORT ACCOUNT

OF THE

MEDICINAL PLANTS OF JAVA.

(Continued from page 363.)

The ophioxylum serpentinum has been mentioned above, and recommended for further investigation. I have met with two other species of this genus which very much resemble it in bitterness; the one is called *pulean* by the Javanese, and the other *krodu kras*. It is very probable that they may, in some measure, agree with the first species in properties and effects.

The tabernæmontana (leg-garang of the Javanese) is a new species, which till now I have only met in the eastern extremity of the island; it agrees in sensible qualities with the *tabernæmontana citrifolia* of Linnæus, mentioned above.

Under this head I shall mention the *porono jiwa* of the Javanese, which is considered as an antidote in all cases in which poison has been swallowed: it is one of the remedies in which they place most confidence, and to which my attention has been directed by the high character which it bears among them. Its

scarcity prevents it from being more generally employed. It is only found in elevated situations, on the fertile declivities of the large mountains. The stem is shrubby, declining, and divided into a few slender branches; all its parts are penetrated with an intense bitterness. The Javanese employ the seeds. One of them is exhibited, after being triturated with water, to counteract the effects of any poison which has been taken into the stomach; in a large dose it probably acts as an emetic. The genus of this shrub is doubtful: I do not find it described. It has some affinity to the genus *geoffroea*. The medicinal qualities deserve to be more accurately investigated.

A species of *poly-gala* (called by the natives *sidogoori lanang*) is also in high repute as a tonic. Its sensible qualities indicate some activity. It has an aromatic odour, and the taste is pungent, acrid, and bitter; in this it somewhat resembles

investigation, my object is not barely to increase the nomenclature of the *materia medica*.

The first motive of my researches was the investigation of the medicinal plants of the island ; I therefore directed my attention as well to those employed by the natives, as to those whose botanical affinity and sensible properties indicated the probability of their usefulness. In the prosecution of this enquiry a large number of objects was to be noticed, and among them several that had hitherto escaped the attention of the natives as well as of physicians.

In a country such as this island, hitherto imperfectly explored, and covered with profuse vegetation, the existence of useful medicinal plants is probable, and afforded an incitement to carry on an investigation requiring a patient perseverance. In what degree I have been successful will be determined by the future usefulness of the articles I have proposed for experimental investigation.

If the *brucea* (*frowalat*), the *suren*, the *artemisia* (*godomollo*), or any other of the substances mentioned, are found, after mature and repeated trials, to possess valuable properties, I shall consider my time and patience well bestowed. I have pointed out, more particularly, those substances that in my opinion deserve a primary attention, in order to guide such physicians as have occasion and disposition to prosecute the enquiry. My province has been to take a general view of the *materia medica* of the island, to select

those plants that possess active properties from a multitude of others, and to point them out for investigation.

The series of experimental enquiry, which is necessary to elucidate fully the virtues and qualities of our native medicinal plants, depends on the joint labour of many physicians. From the practice of the natives but little is to be learned ; they employ the substances empirically, without any regard to quantity ; their ignorance in the science of medicine renders them incapable of observing the action of any substance on the human system. I have been directed by them to many subjects, but on none of them have I received any decisive and satisfactory account of their operation. This will more particularly appear from the second part of this essay.

Some of the chief Javanese medicinal plants are also found in other countries, and are mentioned in the books of *materia medica* ; among others the *ophioxylum serpentinum*, the *spilanthus acmella*, the *strychnos colubrina*, and the *hyperanthera* ; the accounts of them are by no means satisfactory : we are led to suppose that they belong to the most useful of the articles of the *materia medica*.

It is of importance to establish, by experimental enquiry, their degree of efficacy and utility ; and, if they are equal to the account which is given of them, to bring them from their obscurity into general notice.

(*The Comparative Table in our next.*)

LIST OF

GOVERNORS-GENERAL OF BRITISH INDIA.

THE enumeration in our last number of **PRESIDING AUTHORITIES** over the Company's territories in Bengal should have had, as a title to the names of the first column, previous to 1774, "governors" simply, or "presidents;" and the higher distinction of "governors-general" should have commenced with a repetition of the name of "Mr. Hastings" with the second date 1774. It would be impossible, however, in such a comprehensive list as is there given, extending to *Locos-tenentes*, and to *Commanders-in-chief*, occasionally holding the military command severed from the governor-generalship, to reduce

the running title to specific accuracy by any modification. We therefore subjoin a short list, confined to governors-general :

Mr. Hastings	1774
Mr. M'Pherson, (now Sir John)	1785
Earl Cornwallis, K. G.	1786
Sir John Shore, Bart. (Lord Teignmouth)	1793
Earl Mornington, (Marquis Wellesley)	1798
Marquis Cornwallis, K. G.	1805
Sir G. H. Barlow, Bart., K. B.	1805
Earl Minto	1807
Earl Moira, (Marquis of Hastings)	1812

NAUTICAL NOTICE.

THE following describes the situation of a rock seen on the passage from Baltimore, supposed to be the Telemachus rock, the existence of which was doubtful. The situation, if accurately laid down, is extremely dangerous, being directly in the track of ships running down their casting.

Extract from the log of the ship United States, of Baltimore, Sherbail Wilkinson, commander, from Baltimore to Batavia, July 20, 1818:—"At 1 p. m., passed a rock within fifty yards, about six feet

above the level of the sea. We plainly saw the shells and small stones in the holes of the rock when the sea left it: it is about the size of a large ship's hull, and not perceivable till on the top of it. The ship at that time was going eleven knots by the log. I just had time to luff to clear it. I supposed it to be that called the Telemachus Rock, laid down in 38. 50. S., but by four observations, with good instruments, we found it to be in 38. 12. S., and by the run afterwards to St. Paul's, to be in 22. E. from the meridian of London.

ANECDOTE

FROM THE TOHFET AL MUJAILIS.

Translated by JONATHAN SCOTT, Esq.

FLATTERY RENOUNCED.

AN half-starved Arab was travelling the desert, when suddenly he reached a man who had spread his cloth by the road-side, and was eating with a good appetite. The Arab made the usual salute, and sat down by him. "Whence comest thou?" says the latter. "From thy village," replied the hungry Arab, hoping for an invitation to partake. "Didst thou see my house?" continued the glutton. "Yes," answered the Arab, "and a well-built and handsome one it is, whose stories touch the skies, and its courts are elegant as the courts of paradise." "Did you see my shepherd's dog?" "Certainly; and he so well guards thy herds and flocks, that the wolf dare not come near them." "Did you see my son Khalid?" "To be sure; he was at school, most cleverly reading the Koraun in an eloquent tone to his tutor." "How is the mother of Khalid?" "Charmingly; and there is not a more notable manager or better talker in all Arabia, either man or woman, or more celebrated for her charity and goodness." "Did you see my camel that fetches our water?" "Yes; and he is in great order and strength."

The man having heard all this welcome news of his wife, son, and property, was so pleased, that he began to eat with great relish, but did not ask the famished Arab to pick a bone. The mortified

wretch, whose stomach now began to burn with the fire of hunger, was ashamed of his late flattery, and said to himself: It is necessary I should address this miserly glutton in another way. Just then a dog passed, and allured by the scent of the meat, stopped and wagged his tail.

"Had thy poor dog been alive," said the hungry Arab, "he would have wagged his tail just in this manner." "Alas!" said the man, "is my dog dead? how did he die?" "From drinking the urine of thy camel," said the Arab. "Did my camel die also?" exclaimed the eater. "No," said the Arab, "but they killed him for the mourning repast of Khalid's mother." "Alas!" is the mother of Khalid dead?" "Yes," replied the Arab. "What illness occasioned her death?" "Why, she so beat her head against the tomb of poor Khalid, that she died of the bruises." "Ah! is my son Khalid gone also?" "Unfortunately so," said the Arab; "for a violent earthquake having overthrown thy mansion, he was crushed to death in the ruins." When the surly glutton heard all this alarming intelligence, he desisted from eating, and, leaving all behind him, hasted homeward as fast as possible; while the hungry Arab sat down, and feasted on his victuals.

CHINESE PUNISHMENTS.

(From the Indo-Chinese Gleaner, No. IV.)

THE two persons of the Imperial kindred, who were convicted of being concerned in the rebellion of 1813, were sentenced to a slow and ignominious death, by the court which tried them: the Emperor, however, changed the sentence to strangling. He ordered, that they should be put to death at the tombs of their forefathers, that the spirits of the deceased might witness the punishment inflicted, for the dishonor they had done to the family.

Their wives, daughters, sons, and grandchildren, are all blotted out of the list of persons allied to the Imperial House, and are deprived of the usual insignia, a yellow girdle or sash. They are banished, and put under safe custody; which is to extend to their children which may hereafter be born. Thus in the case of princely traitors, to an hereditary degradation, equivalent to "Attainder and Corruption of Blood," is added banishment under perpetual surveillance.

POETRY.

A SUFI ODE

FROM THE PERSIAN OF SHEMS TABREZE.

Why wonder Moslems—I've forgot
Myself—who know what I am not?
I'm not a Christian, not a Jew,
No Pagan, and not one of you;
I'm neither of the west nor east—
Nor land nor sea—nor fish nor beast;
I'm not a pillar of the skies,
Nor with the planets set and rise;
Nor boast I such exalted state,
As warder of the heavenly gate;
Nor fire am I—air—water—earth;
Nor springs from Adam and Eve my birth.
I'm not from either Indian wave,
The rugged rock, or hollow cave;
Not in Irak my breath was drawn,
Nor in the mire of Khorasan;
My form no human art can trace,
My mansion is no bounded space;
Nor own I body, own I life—
Convulsed with passions, sweets, or strife.
Oh how I mourn the moments flown
Ere all I now adore was known;
And unremittingly repent
The life without its master spent—
What are to me the tales you tell
Of now, or future—heaven or hell?
I'm neither human nor divine
Nor here, nor in yon ether shine.
The cup of love has fired my brain;
And the two worlds I now disdain:—
My grief my wealth; my rapture, pain. }
Him who is first, and last alone,
Revealed in all, to all unknown,
Who was, who is, and who shall be,
Alone I seek—speak—hear or see.

Ah, SHEMS, what madness—why proclaim
To grovelling herds this glorious flame?
Come what come may—the love I owe
Is all I know, or care to know.

" * * * "

ODE

FROM KHOSRU.

Delightful tidings! Love, they say,
This night shall hither guide thy way.
And glad shall I thy coming meet,
To place my head beneath thy feet.
The patient deer to view thy face
Await, contented fools, thy chase;
But in thy absence, need I tell
The pangs that in my bosom swell?
Life to my lips is fluttering nigh,
Haste thee nor let thy lover die;
Nor come to spurn the cold remains
Of him thy living love disdains.
The world's best blood 'tis thine to drink;
Yet ere too late, oh pause to think—
What anguish waits thee when thou
feelest
The pangs thou now to others dealest.
Who flies the funeral train may come
To weep upon the lonely tomb—
Turn not away that glowing cheek,
But hear the honest truths I speak.
I tell thee what the stars decree—
Love in his train yet numbers thee.
Ah *Khosru* why thus seek to soften
The fair once seen, yet seen too often?
Oh let me, still her beauties viewing,
Repeat my gaze, and doat on ruin.—
" * * * "

DEBATE AT THE EAST-INDIA HOUSE.

East-India House, March 24, 1819.

A quarterly general court of proprietors of East India stock was this day held at the Company's house in Leadenhall street, which was made special in order that several different subjects might be taken into consideration. The minutes of the last court having been read:

The *Chairman* (James Pattison, Esq.) acquainted the court, that in conformity with the 4th section of the 1st chapter of the by-laws, a paper, which had been presented to Parliament since the last court, should be now laid before them. [The title of the paper was read. It purported to be copies of resolutions of the court of directors, being warrants for annuities, pensions, or superannuations, submitted to the House of Commons.]

Mr. *Hume* enquired whether it was not regular to have a paper of this description read?

The *Chairman* asked whether the hon. proprietor wished to have it read?

Mr. *Hume* answered in the affirmative.

The paper was read accordingly. The first item was a pension of £150 a year to Mr. Grant, late assistant in the examiner's office.

Mr. *Hume* said, he wished to submit to the court some observations on the annuity allowed to Mr. Grant. The proprietors would see that it was right for them to examine into the grounds on which such grants were awarded. It was very true that the general court had not the power of controuling grants of this nature; but it was evident that an account of them was laid before the proprietors, in order that they might consider whether they were made on good and valid grounds. His reason for calling the attention of the court to the grant which he had just noticed was merely this: In the year 1817 a gentleman was introduced to the East-India house who had never been connected with the establishment before, as being perfectly capable of undertaking a certain duty in the examiner's office. This appointment was objected to as a departure from the principle by which the Company's service had long been regulated, namely, that of promoting individuals who had been reared in the house, and avoiding on all occasion the introduction of strangers. The court, however, would learn with surprise that this objection was overruled, on the plea that a person was wanted in the examiner's office, that there was no individual in the house whose talents fitted him for the situation, and that the great and eminent abilities of Mr. Grant, the individual now superannuated, rendered him a person peculiarly

fit to perform the duties of the office. In the military service an individual might spend a period of two and twenty years, and arrive at the rank of captain before he was entitled to the sum of £180 per annum; and the court would hear with astonishment, as he had certainly done, that this gentleman having been placed in the examiner's office, was removed from the service after a very short period had elapsed, and had an annuity of £150 a year conferred on him for life. He did not mean to say that the court could prevent or controul such a grant; but he submitted, that in the exercise of the powers entrusted to them, they ought to mark their disapprobation of the circumstance to which he called their attention. He thought the court of directors ought to be allowed a certain latitude of discretion in many of their affairs; but he must say, that the discretion which enabled them to grant pensions of £200 without coming to the court of proprietors, was not in this instance prudently exercised. A grant so preposterous, so shameful and so wasteful as that now before the court, by which £150 per annum was given for a few months' services, he had never before known. If something were not done to guard against the improvident exercise of this discretion, consequences of a most unpleasant nature would certainly flow from it. He hoped, therefore, that the court would concur with him in the propriety of coming to the following resolution, which he did not mean to move now, but which he begged to give notice that he would submit to the proprietors at a future day, unless some satisfactory explanation were given. "That this court have heard with surprise that the court of directors have granted an annuity of £150 for life to Mr. Grant, who was admitted only a few months ago as an assistant in the examiner's office, for which situation it was said he was well qualified, but which he has since resigned; that the proprietors cannot but consider this pension of £150 a year to Mr. Grant, though it is not in their power to annul it, as an improper exercise of the discretion reposed in the court of directors, and, in the present state of the pension list and of the Company's funds, as extra-vagant and wasteful." He (Mr. Hume) would not press the motion now, but would merely hand it up to the chair by way of notice.

The *Chairman* submitted to the hon. gentleman whether it would not be better to take some further time, in order maturely to consider this motion before he placed it on record. The hon. gent. pro-

fessed himself acquainted with the circumstances of this case; at least his resolution implied as much. The fact however was, that he was entirely unacquainted with them. The circumstances were of a nature more connected with commiseration than any thing else. Mr. Grant came into office under the full expectation that he would enjoy perfect health to go through the duties of his situation with ease and comfort. He, however, was sorry to say that his health had totally failed him. His intense application to business, his constant attention to the study of Indian correspondence, pressed heavily on his mind and produced very serious indisposition. It should also be observed, that Mr. Grant had left a lucrative situation in order that he might enter their service; his health broke down under the severity of his duty; and being unequal to go through that large department of correspondence that was entrusted to him, the court of directors had deemed it proper to grant him an annuity. In doing so, they thought it next to impossible that they could meet with a single dissentient voice in the court of proprietors against relieving a gentleman who had actually broken down in their service.—(*Hear! hear!*)—If the hon. proprietor persisted in his motion, he would defend the grant as one of the most justifiable acts that he had been a party to since he had the honour of a seat in the direction. If the hon. proprietor were determined to proceed, his motion would have the effect of ripping up the circumstances of a private individual in rather a harsh and cruel manner.

Mr. Hume said, no man in that court was more ready to indulge the directors in the performance of proper acts of generosity and liberality than he was. On the present occasion, however, he deemed it to be his duty to record his opinion on the minutes of the court. This he would certainly do, unless he publicly had some other explanation of the circumstance, or was privately satisfied that the court of directors had acted on the grounds that had been stated by the hon. chairman. In doing this, he discharged what he conceived to be his bounden duty, without meaning in the slightest degree to wound the feelings or expose the circumstances of any person.

Mr. Lowndes hoped, after what his hon. friend had said, that the court would not consider his notice improper or unnecessary. It was, in fact, highly desirable that an explanation should be given. The court ought to be informed, why an individual should receive an annuity of so considerable an amount after a few months service? The hon. chairman had certainly explained, and he was convinced the directors themselves would allow that the

circumstance required explanation. Indeed he would do his hon. friend the justice to say, that he never opened his lips in that court without doing something for the benefit of the proprietors in general; and he hoped if, in future, the court of directors travelled out of the common line in granting pensions, that his hon. friend would call on them to explain the reason as he had this day done.

The Chairman—"Am I to have the misfortune of being compelled to consider the explanation I have given as unsatisfactory to the hon. proprietor?"

Mr. Hume—"The hon. chairman will take what I have stated as a notice. His explanation is certainly unsatisfactory to me."

Mr. Bosanquet felt it necessary to say, that whenever this matter was brought before the court of proprietors, the court of directors would be perfectly able to satisfy them that they had done nothing which was not rigidly correct, and in every point of view completely justifiable. He could not, however, help taking this occasion to suggest to the hon. gent. that the best mode of proceeding would be, first to enquire and then if necessary to censure. The hon. gent. had adopted a different course and reversed the ordinary rule of proceeding: he began with censure and then called for enquiry. Now, in his opinion, the mode he (Mr. B.) suggested was infinitely more just and proper. In granting the annuity in question, the court of directors conceived that they were fully borne out by the circumstances of the case. No doubt, if they were guilty of any misconduct, which he expressly denied, they were amenable to the public for the act.

Mr. Samuel Dixon rose to express an anxious wish that his hon. friend would withdraw the notice. It certainly contained a censure on the conduct of the court of directors. He was perfectly satisfied that the explanation which had been given to the proprietors by the hon. chairman, would bring the gentlemen in the direction with the greatest credit through this business. He hoped, therefore, that any farther explanation would be given at the next court; and he was well assured that the proprietors would then have an opportunity of praising, and praising highly, the conduct of the directors on this occasion.

The Chairman could not see the use of putting the following words on the records of the court, unless it was intended, without evidence or information on the subject, to pronounce a direct censure on the court of directors. What else could be the meaning of this expression, "that the proprietors cannot but consider the annuity of £150 settled on Mr. Grant, though it is not in their power to annul

it, as a most unjustifiable exercise of the discretion reposed in the court of directors."

Mr. Lowndes—"Certainly, unless the circumstances be explained."

Mr. R. Jackson said, the notice had not attracted his attention until that moment, and it certainly did embrace a conclusion which he was not prepared to admit. He believed the system of giving formal notices was adopted in another place, to facilitate the arrangement of business and to settle the point of precedence, when many subjects were to be discussed. This was not, he conceived, the uniform practice of that court. He thought it would answer his hon. friend's object sufficiently if he merely said, "I desire now to give notice, that I will on such a day move a proposition on the subject of this grant," or words to that effect. It would answer every purpose he had in view, and would do away the necessity of recording the notice. This was the more regular course, because as the notice now stood, it involved a proposition to the justice of which he was not ready to subscribe. The speaker in another place would not, he was convinced, receive a notice in such a form. He therefore suggested, with submission to his hon. friend, that he should now withdraw his notice.

Mr. Hume said, the court would recollect, that he was compelled to adopt this course by the declaration made from the chair on a former occasion. He was told at that time, that he ought never to agitate any question in the general court, unless he had first tabled a motion. In obedience to that statement he had now done so. If he were not strictly in order, he wished his motion to be returned.

The *Chairman* said, the hon. gentleman's notice must be considered as strictly in order; but the terms of it were such as appeared to him to be incorrect. A notice ought not to prejudice any thing; but here the words of the notice certainly prejudged the whole question.

The conversation terminated here.

The *Chairman* stated, that in conformity with the 19th section, 6th chapter, of the by-laws, a list of superannuations granted to certain officers and servants of the Company in England, was now laid before the court for their information. He also informed the court, that a list of superannuations granted to officers acting under the board of commissioners for managing the affairs of India, was likewise laid upon the table.

PENSION TO SIR WM. DOVETON.

The *Chairman*. "I have to state to the court, that it is made special for the purpose of submitting for confirmation the resolution of the general court of the

16th December last, approving the resolution of the court of directors granting a pension of £800 per annum to Wm. W. Doveton, Esq. (now Sir W. W. Doveton) late of the St. Helena establishment."

Mr. R. Jackson said, when this pension was mentioned on a former day, he suggested certain grounds, and he conceived good and substantial ones, for the amendment he then proposed. He did not mean at present to argue, at length, the reasons by which that amendment could be supported. He meant to go no farther than merely to admonish the court of the nature of the step they were about to take, in order that the system introduced on this occasion might be seriously noticed by the proprietors hereafter. He had no doubt that this pension of £800 a year was fitly, because kindly and generously given, under the circumstances of the case which had been laid before the court of directors. But it was impossible to hear the sentiments which had fallen from the hon. chairman and some of his colleagues on a former day, when this grant was before them, without feeling a doubt that the executive body were proceeding to adopt a system of pensioning, which would hereafter encourage very numerous claims, and might lead to a mal-appropriation of the Company's funds. The Company had maintained St. Helena now for many years, without considering it right or necessary to grant pensions, as a matter of course, to the members of the council, or to any other of their civil servants there; as they had been in the habit of doing with respect to those servants, who were in their immediate East-India possessions. Now, when St. Helena was virtually taken from the Company; when it was appropriated to purposes exclusively those of the government, and not of the Company; when it was clear that the government would hereafter have, directly or indirectly, the appointment of all officers in the island; were they not acting unwisely in establishing this precedent, which would be construed, in future, as an authority for granting pensions to persons stationed on that island? It was stated by an hon. director, that a few years' residence in India afforded individuals an opportunity of making their fortunes, so that they might return to this country and live comfortably on the provision which their situations had enabled them to realize. "But," said the hon. director, "the case is different with respect to St. Helena; hitherto no provision has been made for the members of council there; they may remain for several years in office without realizing any considerable property. This is a case of that description, therefore Sir W. Doveton has been suffered to retire on a pension." It was for this very reason that

he (Mr. Jackson) was anxious to have added these words to the motion: "provided that it be not drawn into a precedent for proposing to the future consideration of the proprietors any pension or grant to the Company's servants in St. Helena," &c. This was resisted by the hon. chairman; and he (Mr. J.) did not, in a case of this description, feel inclined to moot the point too much, or to examine it too nicely. The hon. chairman said, that every case submitted to their consideration would stand by itself, and must be determined by its own merits; and the court of directors would take care that they would not recommend any grant, the grounds for proposing which would not bear strict investigation. But yet the very business which was before the court shewed the absolute necessity of adopting such an amendment as he had proposed. He had himself been the humble instrument, when Colonel Salmond was appointed to a situation in the examiner's office, of propounding, and ultimately carrying an amendment, in behalf of the interests of those gentlemen, who from infancy to old age had faithfully served the Company within the walls of that house. That amendment guarded against the too frequently calling in of persons to act in the East-India House, who had not been reared and educated there as the great body of their servants had. He admitted, at the same time, that the appointment was a wise one; but still he thought it necessary to move that it should not be drawn into precedent. The chairman of that day, exercising a sort of *lingua franca* of office, said, "you must not tie up our hands in this way, and withhold confidence." But the court, notwithstanding this remonstrance, did tie up the hands of the directors, by adopting his amendment. He did not mean now to press the amendment, which he submitted to the court in the month of December last; but he conceived that he had entitled himself to make any observations which future circumstances of a similar kind, should any be brought under their notice, might seem to call for. As to the Company's pensions, for several years past they might be divided into three descriptions: first, political or Indian pensions; second, pensions of superannuation applying to this house; and thirdly, literary or college pensions. Now, with regard to the political pensions, so far from having any charge to make against them, he approved of them highly. He thought the pensions granted to their Indian servants, military and civil, had generally been, for many years past, fair, honorable and unquestionable; as much so, certainly, as could be expected in the administration of sovereign power. Before

the by-law was ordained, rendering it necessary that two general courts should be convened, to approve and confirm all pensions beyond a certain sum, nothing could be conceived more improper than some of the pensions which were granted to their Indian servants, and others who had interest to procure them; but he was happy to say, that since 1793 there was no cause whatever for complaint. With regard to pensions of superannuation on the house servants, under the late act, the principle was most humane. Nothing could be more just or honorable, than to pension gentlemen who had spent a considerable portion of their lives in the Company's service. But he must at the same time observe, that there was no act, in the performance of which greater fortitude and self-denial was required, than in that of granting such pensions. If those who had it in their power to confer them did not proceed with coolness and caution, the system might be made the instrument of very great evil. Each director, particularly when he came into the chair, would be requested to bring forward B. on the suggestion of A. He would be urged sedulously and constantly to influence A., perhaps in the prime of life and meridian of his strength, either by gentle means, or by means not quite so gentle, to give up his situation, in order to make room for the promotion of B. He most earnestly hoped, that on occasions of the nature which he had hinted at, the directors would have sufficient fortitude and firmness to resist such applications. The system, he repeated, was a most humane one, but from that very circumstance one very liable to be perverted, and rendered most onerous on the friends of the Company. With regard to the literary or college pensions, there was nothing he would hail with more joy and gratitude, than a retiring pension to every one of those gentlemen now employed in educating their youthful servants. (*Hear, hear, and laughter.*)—The effect of the institution at Haileybury was such, that unless they had the courage to abolish it, those whom they were annually exporting, and which now constituted the whole of the civil service, would demoralize their empire beyond the possibility of cure! Therefore it was that those gentlemen, against whom personally he made no charge, the defect was in the system, had his leave to be pensioned altogether, and retire with their full pay for life. (*Hear, hear!*) He had no desire to argue over again that painful topic; he had done his duty. The subsequent domestic history of this college, he feared, had confirmed his statements and prognostics; and the very last address of the hon. chairman to the students, delivered with that frankness which belonged

to him, must show to the reflecting mind what at no very distant period would be the state of morals in their great Asiatic settlements! (*Hear, hear!*)

Mr. Grant requested the attention of the court, while he made a very few observations with respect to one of those points, on which the learned gentleman had indulged himself on several remarks. The learned gentleman had forgot, when speaking of St. Helena, to notice the essential principle, on which the grant proposed had been grounded. It was not, as he seemed to suggest, founded on any abstract principle, which was meant to be extended either to St. Helena or the Indian presidencies; it was an isolated case which would not be applicable to any other instance. It arose out of that system of economy on which the court of directors had been solicitous to act, without a view to retrenchment, in the establishment of St. Helena. They had proposed to annex certain officers under council to the station of counsellor, but imagining such accumulated duties could not be well and conveniently performed by Mr. William Doveton and Mr. Leech, both in advanced years, they offered him the option of continuing in council with the duties newly annexed to the stations, or of retiring upon a pension. This was the sole origin of the idea of pensioning any member of the council at St. Helena. It was not with the remotest view of introducing there the abstract principle of pensioning members of council merely as such, still less of introducing such a principle into the Indian presidencies with regard to any of the civil servants there. The observations, therefore, of the learned gentleman were not called for by any thing the court of directors had done on this occasion.

Mr. Lomdes said, he had been for twenty years a proprietor, and during that time had never asked a favour of any of the directors; he thought therefore that he had a right to make a few observations on the case now before the court; and he hoped they would be attended to, since he was perfectly unprejudiced, and had no interest whatever to serve. He trusted they would not proceed in such a manner as to encourage the speculation, which Adam Smith said was pursued when the herring fishery was established, and busses were fitted out to catch the *bounty* and not the *herings*. If they did not adopt a different principle, individuals would perhaps be sent abroad, not so much for the purpose of executing important duties, as with a view to the attainment of a comfortable pension. They had this morning heard of a grant of £150 a year being conferred on an individual through compassion. Compassion, he admitted, was a very proper feeling to indulge in, but not at the

expense of others. His compassion would lead him to put his hand into his own pocket, and not into the public purse. He prized the man whose heart melted at the distresses of others, and who to alleviate those distresses paid something out of his own store; but he would not give any person credit for fine feelings, whose compassion led him to make free with the public money. The Company's pension list was not so bad as one that he knew of. He recollected a body of men, whom he certainly respected (for he was as loyal a man as any in the kingdom), who sometimes seemed to think that individuals should be pensioned, because they had possessed a good thing for many years. Thus if they had for a considerable period received £4000 or £5000 a year, it was deemed necessary when they went out of office that they should have a pension of £2000 or £3000 per annum. This was a system which he was glad to see the Company could not pursue. A pension of the nature to which he had alluded was like a cannister tied to a little dog's tail, which accompanied him wherever he went. (*A laugh.*) And, in like manner, wherever the individual ran who had once the honor of holding an office, pension was sure to run along with him. His friend, Mr. Hume, had done a very good action, in making the Chairman explain why an enormous pension was conferred on Mr. Grant. He called that pension enormous when compared with the services which the individuals performed. He hoped in future they would hear nothing more about compassion. It was a new subject, one which he had not heard mentioned in that court for above eighteen years. When they had not funds sufficient to minister to the wants of faithful servants, who had been employed by the Company in a civil or military capacity for thirty-five or forty years, he thought it was preposterous to bring in a new list of pensioners under the title of compassion pensioners. Hereafter, he trusted, they would hear no more of this system. If the grant now before them went to a ballot he would be favorable to it, because it was a particular instance and stood on its own peculiar grounds. He approved much of the system of superannuation pensions, because they relieved such persons only as the poor's rates in this country ought to assist. They were conferred on superannuated industrious men whose lives had been beneficially employed in the public service. But he was sorry to say, that the poor's rates were diverted from their original intention, and were applied in an infamous manner. (*Cries of "question" and "order."*) Whenever he found a new description of pensions introduced into that house he would, with that vigilance

that always belonged to him, examine it minutely. When he saw objects of humanity, he would not relieve them out of the public purse, but out of his own. He would always act as the conscientious guardian of the public funds of that body, or of any other to which he happened to belong.

The motion was then put from the chair, and carried unanimously.

CARNATIC COMMISSIONERS.

Mr. D. Kinnaird said, that previous to the business on which the court were about to enter, he would take the liberty of asking permission to put a question to the hon. chairman, which related to a subject of much importance. It would not lead to any discussion, and therefore he felt the less hesitation in mentioning it. He wished to know what was meant to be done with regard to the commission which had existed for many years for arranging the debts of the nabob of the Carnatic? It was a duty he owed to the persons who formed that commission, to give to the court of directors an opportunity of publicly stating what had already taken place with respect to them. The commission had existed for many years, and the officers of whom it was constituted, who had, in his opinion, acted most meritoriously, gave up their time and their talents to the Company's service, during a long period. They had, while thus employed, been receiving a very adequate remuneration from the Company; but they were extremely jealous, lest it should be supposed that they had accepted of large sums of money without performing commensurate services. He was sure the court would be ready to bear testimony to this fact, that the salaries those gentlemen had received were fairly earned and properly granted. He wished to know whether a communication had not been made by the commissioners to the court of directors, stating that it was expedient to bring the commission to a speedy conclusion. (*Hear, hear!*) The fact, he believed, was so, and the circumstance ought to be generally known as it was extremely creditable to them. He hoped the hon. chairman would state what the determination of the court of directors was, and when it was likely that the commission would be brought to a conclusion. He felt, in returning thanks to those who had so long been serving the Company, that it was almost invidious to select any individual as the object of peculiar praise; but there was one gentleman, whom he thought it necessary to name particularly, a gentleman whose time and talents were especially devoted to the object of the commission, and whose exertions were universally allowed to have been highly creditable to him, and not less serviceable to the interests of

the Company. He alluded to Sir Benjamin Hobhouse. That honorable individual wished this commission to be brought to a termination, as well for his own credit as for the benefit of the East-India Company. He was quite convinced that the court would feel great pleasure in paying a deserved tribute of respect to those commissioners who had brought to a termination the task of no small difficulty, and who, having done so, were no longer desirous of receiving the money of the Company.

Mr. Lowndes.—“How many years has the commission existed?”

Mr. D. Kinnaird.—“Thirteen.”

The *Chairman* begged to state, in answer to the question of the hon. proprietor, that the court of directors were fully sensible of the merits of the gentlemen who composed the Carnatic commission, and were perfectly ready to admit the great degree of disinterestedness they had manifested in anxiously desiring to bring it to a close. He would now state, for the information of the hon. proprietor, that some measures connected with this subject were at present in contemplation, which he trusted, and believed, would produce a beneficial result.

HOME ESTABLISHMENT.

The *Chairman*.—“I have now to acquaint the court that it is farther made special, for the purpose of laying before the proprietors, for their approbation, two resolutions of the court of directors, of the 27th of January last and the 19th ultimo. The former “proposing the formation of a fund for the benefit of the widows and families of deceased officers of the home establishment, under certain regulations, and the grant in aid of the same, of the sum of £4000 per annum from the general fee fund for the house and warehouses, also the sum of £600 per annum from the Company's cash, with a view to relieve the funds of the Company in future from all charge, by way of pension or annuity, to the relatives of the said persons.” The latter proposing “the formation of a fund for the benefit of the widows and families of deceased elders, extra clerks, and others therein mentioned, of the home service, under certain regulations, and the grant in aid of the same of the sum of £500 per annum from the general fee fund, also the sum of £500 per annum from the Company's cash, with a view to relieve the funds of the Company in future from all charge by way of pension or annuity to the relatives of the said persons.” Both resolutions shall now be read for the information of the proprietors.

The clerk then read the following resolution. “At a court of directors held

on the 27th of January, 1819, it was resolved, that the resolution entered on the minutes of the court in the years 1816 and 1817, with a view to the formation of a fund for the benefit of the widows and families of deceased officers of the home establishment, be rescinded; and that the following resolution be adopted in lieu thereof:—"That the fund shall have operation from the 25th of March, 1816, subscriptions having been received from the officers of the home establishment since that date. That the sum of £600 per annum be granted in aid of the fund from the Company's cash; and that £4000 be paid by half yearly instalments from the fee fund for the same purpose, to bear interest at the rate of five per cent. payable half yearly from the 25th of March, 1816. And as security for the said sum of £4000 per annum, that £1000 of India bonds be placed to the credit of the fund, and kept separate from the Company's account. That the said resolution be laid before the proprietors, and also before the board of commissioners for managing the affairs of India. That the present alteration be made known as soon as possible to the officers of the home establishment. That they may, if they please, withdraw their names as subscribers to the fund within three months; and that interest be allowed them on the sum they may have subscribed. That persons who have not subscribed be allowed three months, during which they shall have an option either to become subscribers or to decline; but that it shall be a rule of the establishment that all officers in future shall become subscribers to the fund."

The *Chairman*.—"I move that this court approve the resolution of the court of directors of the 27th of Jan. last, granting £4000 per ann. from the fee-fund and £600 per ann. from the Company's cash in aid of the fund for the relief of the widows and families of deceased officers of the home establishment, subject to the confirmation of another general court."

Mr. *Hume* said, he rose to offer one or two observations to the court, but certainly not to make any objection to the motion, because he considered the present highly advantageous in every point of view. It was humane in its principle, and must afford great consolation where the families of those who had served them faithfully were left unprovided for. The formation of such a fund was extremely proper, and he was exceedingly happy to hear that a plan which had been for years in agitation was at length perfected. What he wished to throw out to the court was this, that the subscriptions of two hundred and seventy-two persons to the fund amounted to nearly £2400 per annum,

whilst the court granted £4000 from the fee-fund and £600 from the Company's cash, making a very large sum in the aggregate. He wished therefore, that the court should adopt some provision, in case the fund became too rich, in order to insure its proper application. If he were correctly informed with respect to the scale of pensions agreed on, which he understood was to be permanent, he had reason to believe that the fund would soon be richer than was requisite. In that case some provision ought, he conceived, to be made by the directors for a proper disposal of the overplus. At present the directors gave up all charge of the fund; they would, he was informed, have nothing to do with it; they left it entirely to those who were to benefit by it. This he thought was one of the most creditable transactions that was ever known in the India-house; but still it was worth while to consider, if a surplus sum should remain after paying all claims on the fund, whether a provision ought not to be made to reduce the annual supplies derived from the Company's cash and the fee-fund, always taking care that the fund about to be established was fully equal to the demand on it.

The *Chairman* said, the suggestion of the hon. proprietor was a very reasonable one. The views of the court of directors went however the other way. Their great object was to see that the provision was sufficiently large, and the question of superfluity was not nicely considered. The point noticed by the hon. proprietor might be taken up hereafter. Two general courts were necessary to give validity to this resolution, and in the interim between the first and second the subject might be looked into. At present he spoke off hand, for he had not considered the question, but the reasonableness of the hon. proprietor's observation was quite clear.

Mr. *S. Dixon* said, suppose any alteration were made in this resolution at the next general court, would not another court be requisite in order to confirm it, and make it a valid act? It struck him that every material alteration made a resolution quite a new thing which demanded a subsequent confirmation.

The *Chairman* said, that point should be considered and the result stated to the court.

Mr. *S. Dixon* said, he felt great pleasure in hearing the notice his hon. friend (Mr. Hume) had taken of this grant. He thought it a very possible case, that the subscriptions of individuals, the grant from the Company's cash and from the fee-fund, might form a sum much greater in amount than was absolutely necessary; for it never could be in the contemplation of the directors that any thing beyond

comfortable subsistence should be provided for those who were to derive the benefit of the fund. It could not be supposed that the pensions were to be greater than the original salaries of the officers who were deceased. The liberal way in which the court of directors had acted towards this fund was honorable to their feelings; but he thought that the grant in support of it should be stated as intended to be continued "so long as the said assistance was deemed necessary," or something to that effect.

Mr. Lowndes said, it was not always that a new institution was a good one and deserved support, but they must all without a dissentient voice approve of this; and he hoped it would be extended to civil as well as military servants.

Mr. Hume.—"It is intended only for civil servants."

Mr. Lowndes continued. He should be glad to know why the marine officers in the Company's service had not a fund of a similar nature? He was proud of saying that he had a relation who for twenty-seven years had been the mate of an Indiaman; though poor, he was a gentleman, and therefore he was proud to mention him. He had remained in this situation for the long period he had stated, because he was a very honest man and would not truckle to those in power. He had often said to him (Mr. Lowndes) with tears in his eyes, that no provision was made for the mate of an Indiaman. He might serve for twenty or thirty years, but though he died in the service no pension was granted to his widow or family. The reason was because he was placed between two stools. The India Company said, "you do not belong to us;" and the merchants said, "we have nothing to do with you." Their military and civil servants had pensions, but that amphibious sort of animal the mate of an Indiaman had no allowance of any kind. He might like the camelion live on air, for he had nothing else to live on. He hoped that means would be devised for granting pensions to the widows and families of the mates of Indiamen. He had for twenty years raised his voice in favour of such a plan, but he had called out like one in the wilderness, for no one attended to him.—(A laugh.)—But the fact was, that those forlorn people had no director to speak for them. He would willingly subscribe to a fund for their relief; for no persons were more deserving of support and protection. The lieutenants in their navy had a certain provision made for their widows; it was not much, but still it was some assistance. The widows and families of their military officers had also an allowance. But for the mate of an Indiaman or for his family no provision whatsoever was made.

The situation of those persons afforded sufficient reason for introducing the subject now; and the humanity of the case, if it were irregular to notice it, would propitiate the indulgence of the court. He wished to propose that a fund should be instituted for the benefit of those persons; and he trusted that the gentlemen connected with the shipping interest of India would meet together to consider of the propriety of pensioning the widows and children of those mates who had died in their service. Instead of building fine houses, purchasing splendid carriages, and rolling in every species of luxury, it would be better if they would provide for those poor men. The difference between the mate and captain was very great. The former might make his fortune in two or three voyages, but the mate could not do any such thing. He had not now the same privilege that he possessed twenty years ago. At that time he could realize something by his privilege, but now he had not that opportunity. The subject was a very serious one, and he hoped that the hint would be taken up by the East-India shipping interest.

The motion was then put and carried unanimously. The clerk next read the following resolution:—

"At a court of directors held on Friday the 19th Feb. 1819, a report from the committee of accounts dated the 10th inst. was read in court, and ordered to be taken into consideration. The report submitted certain alterations with respect to the fund for the benefit of the widows and families of deceased elders, extra clerks, and others; and also an amended code for the adoption of the court. It was resolved, that this court do approve of the said report, and that the sum of £500 per ann. from the Company's cash, and of £500 per ann. from the fee-fund, be granted, subject to the approbation of the court of proprietors and of the commissioners for managing the affairs of India. That the proposed alteration be notified to the subscribers as early as is practicable, that they may if they please withdraw their names; and those who do withdraw them shall have their money returned with interest. That three months be given, during which individuals shall have the option of becoming subscribers; but that it be a rule that persons hereafter appointed to the service shall become subscribers to the fund."

The Chairman moved, "that this court approve of the grant of £500 per ann. from the Company's cash, and £500 per ann. from the fee-fund, in aid of the fund for the benefit of the widows and families of deceased elders, extra clerks, and others of the homeservice, subject to the confirmation of another general court."

Mr. Hume felt it necessary to make one observation, in order to satisfy gentlemen of the nature and object of the present vote, as well as of that to which they had just agreed. The vote they had last passed was for the civil servants in the East-India House; and the vote now submitted to them was intended for the extra clerks, elders, and others, who might be considered in the class of warrant officers, were they to look upon them in a naval point of view. If he understood the intention correctly, the grants provided that no individual pension should be claimed after the year 1816, consequently the Company would by the present provision be freed from every kind of charge for the widows and children of deceased officers belonging to the home establishment; a regulation which would be productive of very great advantages. With regard to the difficulty started by his hon. friend near him (Mr. Dixon), they had long since been informed by their standing counsel, that any court could diminish, but could not enlarge a grant. All that he wished was, that if the fund now established should be found greater than was necessary, that care should be taken to bring it within due bounds. The grant, at present proposed was not, he apprehended, irrevocable; and, if it were in the end discovered to be too extensive, it would then perhaps be proper to bring it again under the consideration of the court. If such were the understanding, he had no farther observation to make.

The *Chairman* said, that the same course of proceeding which was suggested with respect to the other grant should be followed in the present instance.

Mr. R. Jackson said, the two propositions that had been submitted to the court received his most cordial approbation. His reason for troubling the court now was to express, with the utmost deference, his sentiments on a subject of a peculiarly delicate nature. He desired, in the face of that court and the public, to do justice to the executive body for the care and attention they had bestowed on the Company's army in India. He was quite sure that there was nothing which could be suggested to the advantage of that gallant body that would be received with indifference by the court of directors; in kind feelings towards their Indian army, he knew that the executive body would outrun even his most sanguine expectations. He wished merely to have leave to express his idea on this subject, and he would leave it to the gentlemen behind the bar to take it up, and if wise and practicable to carry it into effect. He thought, that if by introducing such a plan as was now adopted with respect to the civil service; if by subscription, by the appropriation of fees, or by an advance from the Company's funds, they could enlarge the con-

tracted military pensions, the boon would be most gratefully received by those who were every hour risking their lives for the Company; by those who must very much endanger, if not altogether sacrifice their constitution in the service, who were exposed to all the casualties of war, and were liable to be maimed, wounded, and otherwise incapacitated for further honorable exertion. If by a well-timed liberality on the part of the Company, aided by subscriptions among the military themselves, the funds appropriated to the purpose of military pensions could be so enlarged as to administer to the general comfort, and increase the happiness of their brave and deserving officers, no man would feel more thankful for the labour bestowed in perfecting so praise-worthy a scheme than the individual who now addressed the court, in the hope that at some future period the suggestion thrown out might be deemed worthy of consideration.

The *Chairman* said, the suggestion of the learned gentleman was too important in its nature to be passed over without notice: but the learned gentleman must be aware that provision to a very great extent was made for their military servants; for that purpose military funds had been established, to which individuals were at liberty to subscribe; those funds formed a very heavy burden, and he feared that they could not be extended. At the present moment, he did not conceive that such a plan as that suggested by the learned gentleman could be taken into consideration.

Mr. R. Jackson said, he was obliged to the hon. chairman for giving him an opportunity of making an avowal, which he ought not in the first instance to have forgotten. He certainly ought to have acknowledged what had already been done, and to have alluded to the magnitude of those sums which had been set apart for the benefit of their military establishment, which he believed was, upon the whole, the best military service on earth. When he said he wished the fund to be enlarged, he meant, as a material part of the plan, that an encouragement should be held out to their young officers to subscribe according to their means for their common good. This would not be the case without a certain degree of persuasive influence were exercised by their seniors, a sort of seductive coercion. Young men would not always look forward or subscribe, unless their present means tempted to do so by the liberality of the plan. The Company could not say to them, you must either subscribe or leave our service; but he thought when it was known that those who did contribute were held in greater esteem, it would not want effect, and these youngsters, as

it were, in spite of themselves, be assured of ultimate comfort.

Mr. Bosanquet said there were already established in India both military and civil funds, and to these the Company did subscribe. If the hon. gentleman looked into the circumstances of the case, he would find that the individuals behind the bar were as anxious as those before it could possibly be to render their subscriptions effectual.

The resolution was then carried unanimously.

GRANT TO COLONEL SALMOND.

The *Chairman*—"I have now to state to the court that it is made special for the purpose of laying before the proprietors a resolution of the court of directors of the 30th December last, granting to Lieut.-col. James Salmond, the military secretary for conducting the military correspondence with India, an addition of £500 per annum to his salary." The resolution shall be now read for the information of the proprietors.

"At a court of directors held on Wednesday the 30th December 1818, it was resolved, that in consideration of the great abilities with which Lieut.-col. James Salmond has discharged the arduous duties of his office, and the additional labour imposed on him by the transfer of the military correspondence to his department, an addition be made to his salary of £500 per annum, to commence from the date when the said transfer of the military correspondence took place."

The *Chairman* begged leave to inform the court that the present measure was very strongly and unanimously approved of by the executive body, and by them most warmly recommended to the favourable notice of the proprietors. It was recommended on account of the eminent and meritorious services of the gentleman in question, and of the important and laborious duties which he had to perform. No less a task was imposed on him than the maintaining an uninterrupted correspondence with three distinct settlements, on the details of three distinct armies, in which several different usages prevailed. Each of these he was obliged particularly to notice, and on each of them it was necessary he should correspond technically and correctly. Every circumstance relative to military operations, every thing connected with the departments of the adjutant-general and of the quarter-master general, every thing that related to the medical board, every thing that was in a military point of view tangible, must come to this country in the shape of paragraphs, and be regularly answered by the enlightened mind and comprehensive capacity of this individual. Gen-

tlemen must be aware that the members composing the court of directors had so much important business on their hands, as rendered it possible for them to travel into the detail of those affairs which were entrusted to Col. Salmond's superintendence; it was as much as human powers could effect to read what was written with respect to their military force, much less to investigate and weigh the motives in which different acts originated and were pursued. When it was recollected that the equipment of their armies in the field, from their tenting even to their cartouch-boxes, must come under the cognizance of this officer, who was responsible to the court of directors, to the proprietors at large, to the Indian community, and to the whole world, for the correctness of his proceedings, it would at once be seen that the situation was of the highest importance, and consequently, if its duties were performed with diligence and correctness by the person to whom they were entrusted, he should be handsomely provided for. Lieut.-col. Salmond had been selected some years ago to fill this office, and considerable expectations were held out to him of liberal reward. It was in consequence of those expectations which Col. Salmond was induced to entertain at that time, as well as the fresh duties which had been recently imposed upon him, that the court of directors had thought it proper to recommend an increase of salary. By a late regulation, in addition to his other duties, all personal applications of a military nature were referred to the consideration of the military secretary, whose duty it was to prepare the documents and bring the several questions distinctly before the court of directors. The proprietors must be aware, that of all the questions which came under the consideration of the court those of a personal nature were the most delicate. The decision upon personal questions was liable to great inconvenience, since partiality might be exercised in setting them at rest; but in the course of a few years, the court of directors had an opportunity of seeing, appreciating, and approving the correct conduct as well as the great abilities of Col. Salmond; he had acted like an honorable and disinterested man; neither deviating to the right nor to the left, when personal questions were submitted to him; and he was sure the court would not separate without marking their decided approbation of the conduct of so upright and honorable an individual.

Mr. Hume hoped the court would indulge him for a short time while he made a few observations on the present resolution, which appeared to him to be one of a most important nature. In doing this, he felt that he could not carry

the court along with him without calling the attention of the proprietors to Col. Salmond's progress in the situation which he now held. No man was more ready than himself to support properly, and appreciate duly, the abilities exerted in their service. Though he had not the same opportunity which others had of witnessing the talents of Col. Salmond, he yet was willing to believe that they were found useful and efficient. But connected with this subject there was another point of very great importance, namely, that of acting consistently with the proceeding adopted by the court in April 1809. When the motion was brought forward, on the 7th of April in that year, to place Col. Salmond in the situation of assistant military secretary, a discussion took place as to the propriety of an individual being nominated to that office who was a stranger to the East-India House. The objection then made was a clear and plain one. His learned friend (Mr. Jackson) stated distinctly, that it was an unusual and a dangerous practice for a person to be appointed to an office of this description not educated in the house. It was answered that there were no individuals within those walls capable of conducting this department, and that therefore it was necessary to sanction the nomination of Col. Salmond, who was peculiarly qualified to undertake the duties of the office. Notwithstanding this, an amendment was moved by his learned friend, which in substance set forth that the then nomination should not be drawn into a precedent for the introduction of strangers to the home establishment. This was, he thought, a very proper amendment; and the reason why he mentioned it was this, that the court of directors at that period declared distinctly and specifically that the measure was sanctioned at the time they required it. They went on farther, and said that they would, as soon as possible, introduce young men of ability into the office, who, in case of a vacancy by resignation or death, would be able to carry on the business effectually. Matters, however, went on without alteration. Col. Salmond was appointed with a salary of £800 a year, which had been ultimately increased to £1,500 per annum. On the 17th of December 1817 the subject of the military department was brought before the proprietors. The court of directors, it appeared, in a report dated the 24th of February, stated, that the extent of military duty was so much increased in amount, that an additional assistant was necessary. It was then stated from the chair, that Col. Salmond had so much to do with the foreign correspondence alone, it was impossible for him to conduct the military department, from the duties of which Mr.

Wright, the civil auditor, had been relieved. For the purpose of making up for this deficiency, an assistant military secretary was appointed in the person of Col. Bryce. It was understood that he was to have the charge of all those military details which Col. Salmond was not capable of attending to. He now wished to point out to the attention of the court what appeared to him to be a little inconsistency in their present proceedings. The resolution of the court of directors clearly went to shew this, that Col. Salmond, who, twelve months ago, was said to have more business to perform than he could go through, had since been charged with additional duties, and was therefore to have an increase of salary. As he understood the circumstances of the case, the assistant military secretary, appointed by the resolution of the court of directors of the 28th of August 1816, was intended to take from off the hands of Mr. Wright and Col. Salmond those military duties which bore too heavily on them. Those who knew the Company's situation in India, the enlarged extent of their territory, and the necessity which existed for increasing their corps from time to time, could not be able to imagine, if Col. Salmond, in 1817, could not perform the military duties of his situation, how he could now get through them with so much rapidity. He thought the resolution of the court of directors, which had been just read, was altogether inconsistent with the former proceeding to which he had alluded, because it seemed to throw on Col. Salmond those very duties which he was before described as incapable of performing, on account of their weight and extent. He did not understand how this was to be explained; but beyond what he had already adverted to, there was something still more extraordinary which required the notice of the proprietors. The military secretary, whose appointment was agreed to by that court on the 17th December 1817, had, it appeared, been appointed to another situation. How then did the court stand at present? The proprietors would scarcely believe it when he said, that the whole business of an army of 150,000 men was now to be transacted by one gentleman. Some of the details which the hon. Chairman had noticed were arranged by particular boards, and did not give much trouble; but the great business of the military department, the forwarding answers to the various dispatches that were transmitted from the army, this he understood to be the task specially entrusted to Col. Salmond. This he would say, that if any man in that court, or in the East-India House, could get through such a multifarious duty with tolerable correctness, and even moderate speed, he must pos-

less more than human powers, so very extensive was the military correspondence. (*Hear, hear!*) At this period there were various parts of the military correspondence that had fallen from time to time into considerable arrears. Their revision of Col. MacGregor's case was not concluded until a period of five years had elapsed; and other instances were to be found where the delay had been equally great. He did not mean to blame the officiating officer on account of such delay; all he meant to contend was, that it was not consistent with human exertion, confined to a single individual, to get through such a mass of business in a reasonable time. The court of directors, when his learned friend moved the amendment to their resolution in 1809, virtually pledged themselves to provide a constant succession of talent and abilities in this important department, in order to guard against the inconvenience that must otherwise be felt, in case of resignation or death. But if Col. Salmond were intrusted with the whole affairs of the military department (and it should be remembered that he had seen many years service in India, which tended to impair the constitution); if this gentleman, contending with a duty that might stagger Hercules himself, should retire from ill health, or die, (and no man could answer for the continuance of his life during a single week), what then was the situation of the Company? It would be this: that there was not an individual in the office, except a junior clerk, lately introduced, and consequently matters of great moment must stand still until an efficient successor was appointed. (*Hear, hear!*) In December 1817 he stated that arrangements should be made to obviate this difficulty, and he then understood that some plan for that purpose was under consideration in the court of directors. He supposed that they intended to provide a number of colleagues in the office, that there should be no interruption to a regular succession of individuals; but he now concluded that he was wrong in supposing the court of directors to have taken this subject seriously into consideration, so as to meet and provide for the difficulty whenever it should happen to arise. He believed, when a similar question was before them in 1817, he brought to the recollection of the court of directors the resolution and amendment of 1809; and he must say, that if the court were called on the present occasion, as they were on the former, to vote a sum of £300 a year to an additional officer, who should take a portion of this excessive labour from the shoulders of Col. Bryce, he would have been much better satisfied. He confessed that he, for one, would have been most happy, if the resolution sub-

mitted to them had been to this purport: "That to provide a regular succession in the military department, in order to guard against the common contingencies of life, the court of directors thought it proper to appoint an assistant." He would have been glad to support such a resolution, which would go to ensure a regular discharge of the duties of this office. Who, he asked, could expect that Col. Salmond would remain in that house transacting business from January the 1st to December the 31st? He could not be always there; and when he was absent there was no one to proceed with the business. He was a zealous friend to economy, but he thought that it was not economical to ask one gentleman to perform duties that would occupy many; to call upon an individual to undertake an extent of business which he could not be expected in the course of things to get through, however zealous and attentive he might be. Although he did not wish that court to interfere with the internal resolutions of the court of directors; yet as the executive body were going on with reference to this subject in the old manner, as they had not placed the Company in a better situation, as far as this office was concerned, than that in which they stood years ago, he conceived it was not improper for them to express their sentiments as to the necessity of adopting a different course of proceeding. It was not a question why an addition of £500 per annum should be made to the salary of Col. Salmond; it was for them to see that Col. Salmond was properly remunerated, and that such a duty was imposed on him as he could be reasonably expected to do, which he must contend was not here the case. In 1809, the directors stated that the duties of the office should be correctly performed in future; but this, as appeared from their own shewing, was not the fact. A gentleman was appointed to assist Mr. Wright, who had been removed to another department. He was aware that it was proposed to grant an addition to the salary of Col. Salmond; but he had no idea that an additional duty was to be imposed on him, after what the directors had stated in 1817. He little expected, after having declared at that time the business of the office to be too much for him, that they should add to his labours, and then state the accession of duty as a reason for increasing his salary. He objected to the increase of salary on that ground; because by granting it they prevented the quick performance of duties of ten times more importance than the money they were called on to expend. No matter what the sum proposed was, no manner how extensive the grant, it could not enable a man to perform more than his physical strength and his mental

energy were equal to. This was his opinion, but yet he did not wish to call on the court to negative the proposed addition; at the same time he must fairly state, that in justice they ought to do so, since in acceding to the resolution, they agreed to saddle Col. Salmond with a duty which he would not be able to perform, and would thus prevent him from giving his undivided attention to matters of much greater importance: he alluded to the foreign correspondence. Still, though he meant not to oppose the motion, he would not be doing his duty towards himself and the proprietors, if he did not put on record an expression of his opinion, that the court of directors had not fulfilled their pledge to the Company, they having failed in providing a regular succession of gentlemen to fill the office of military secretary, and in consequence left the business of the whole military department subject to the health of an individual. These observations appeared to him of so much importance, that he could not avoid making them. He should now read what he proposed to add as an amendment to the resolution on the table, and he would leave it to the court to dispose of it as they thought fit:—

“Resolved, That this court, fully sensible of the importance of the military correspondence of their army in India, and of the necessity of having men of talent to act in the office of military secretary, did (in conformity with the recommendation of the court of directors of the 24th of February 1809), on the 7th of April 1809, appoint Col. James Salmond, an officer of the Indian army, and not belonging to this establishment, to the office of military secretary, with a salary of £800 a year, with the express understanding that care would be taken in future to provide a succession of officers to perform the duties of that department.

“That this court hear with surprise, that in the course of four years, notwithstanding the report of the 24th of February 1809, the court of directors have not procured any succession of officers to act in the department of the military secretary, which office, in case of the resignation or death of the individual now holding it, must again be placed in the hands of a perfect stranger to this house.

“That this court did reasonably expect, after the appointment of an assistant military secretary, in the year 1817, that something would have been done for ensuring a regular succession of properly instructed officers to fill the situation, and thus to prevent the inconvenience that must arise from the resignation or death of the individual who at present holds it.

“That this court have learned with regret, that additional military duties have been transferred to Col. Salmond, as military secretary, he having previously as much business to do as he could well perform, according to the statement made to the proprietors on the 17th of December 1817; and that his salary is on this pretence to be raised to the sum of £2000 a-year, instead of £800, which was originally granted.

“That this court cannot agree to such increase of salary, as they consider the arrangement injurious to the Company, and opposed to the efficient performance of those duties which are of the first importance to their interests.”

Mr. Hume having read the resolution, said that he would hand it up to the chairman, and, with the exception of a few words, would submit it to the court for their approbation.

The resolution was then read by the clerk.

Mr. Hume begged leave to withdraw the latter part of the resolution, which respected the increase of salary. This he did at the suggestion of an hon. friend, lest the resolution might be considered as merely referring to a matter of money. He did not view the subject in a pecuniary point of view at all. He did not object to the grant, that was not his object in moving the resolution.

Mr. S. Dixon—“The amended motion is of such a length, it embraces so many subjects, and calls on the court to state their opinion on so great a variety of matters, that I hope the hon. proprietor will not press it without proper consideration.”

The Chairman—“Has this amendment been seconded? I should almost hope not.”

A short pause here took place, which was terminated by

Mr. Lowndes, who rose and begged leave to second the amendment, since no one else seemed willing to do so. He adopted this course on the plain ground, that, in so high an office as military secretary, where the correspondence of an army of 150,000 men was to be attended to, they ought to have persons in various gradations, in order to fill up any vacancy that might arise, instead of trusting to the health of an individual. Such was the mode adopted with respect to the British Navy. What was the reason that there were six Lords of the Admiralty? It was to afford the two junior lords an opportunity of learning their lesson. If there were two young sucking lords, in time of peace, assisting to manage a navy of not one-tenth the number that was kept up in time of war, why should not Colonel Salmond have a *salmon trout*, or,

in other words, an assistant, to enable him to perform his duties during a period of hostilities. The company ought, in time of war, to have at least two persons in the office of military secretary, one to give every assistance to the other. Suppose, for instance, that Colonel Salmond was ill, who was then to supply his place? Was the Indian army to be neglected in consequence? Was it to be at an awful stand still because Colonel Salmond was sick? The observations of his hon. friend were excellent; and he would state the reason why he thought so, namely, because the court of directors could not answer them. He was sure they could not give any cogent reason for pursuing this system of economy, and yet he gave them credit for it in their capacity of directors. He did so because every body of directors were fond of patronage; for it was very natural that all of them should be desirous to bring forward some friend or relation. Here, however, it appeared that a source of patronage was sacrificed; but though he gave them credit for honesty, he could not compliment them on the soundness of their judgment. The two principles were entirely at variance on this occasion. The court of directors wanted credit for taking care of the funds of the Company; but it often happened, in great political matters, that two and two did not make four. Here the heaping so much business on Col. Salmond was not true economy; for two heads on many occasions were much better than one. If he were their military secretary, wishing always to sustain the character of an honest man, he should like to see persons about him who were able to appreciate what he was doing, for fear of unpleasant rumours respecting his conduct being set afloat. A gentleman in office ought to have a coadjutor, not merely to assist him, but to clear his character when it was unjustly assailed; and they all knew that scandal stalked abroad in every direction. In this scandalizing age no man could escape censure; and therefore, if he were in office, he would be glad to have a person to appeal to when he was attacked. The necessity of appointing an assistant to Col. Salmond was very clear, because he could not reckon on his life a single hour while in India. (*Mr. Hume observed, that Col. Salmond was not in India, but employed in that house.*) Could any person, continued Mr. Lowndes, assert that Col. Salmond would be free from those disorders incidental to all men who lived in India? (*Laughter.*) Must he not, indeed, from the fatigue of his mind, be more subject to those disorders than other men?—(*Laughter, and cries of "Order!"*)

An Hon. Proprietor rose to order. He observed, that the facetious gentleman

had been speaking on a subject with which he was totally unacquainted. Col. Salmond was not acting in India, but was at that moment employed up stairs in the Company's house in Leadenhall street. (*A laugh!*)

Mr. S. Dixon said, it was his wish to draw the attention of the court, and particularly that of the worthy proprietor (Mr. Hume), to the nature of the amendment. Much pains as he had taken to render his amendment clear to the proprietors, it embraced so many observations, and dealt so largely in assertion, that the court could not be prepared to act on it all at once. He did not mean to enter into any argument on the subject; but from the importance of the motion, he conceived the hon. gentleman himself, and every proprietor in the court, before he was called on to give a decided opinion upon it, must rather wish that the proposition was not pressed on them, but that farther time might be given for its due consideration. He believed that he did not stand alone in this opinion.

Mr. Grant expressed himself sorry that he was obliged to address the proprietors a second time, in order to correct what appeared to him to be a misapprehension of the conduct pursued by the court of directors in 1809, when he had the honor of presiding in the chair. The hon. proprietor had entirely mistaken what passed upon that occasion. There was no pledge of any kind given by the court of directors, still less any thing like a pledge that they would in future secure the provision of the assistance that might be eventually wanted in the house from extraneous supplies. The case was this: the functionaries in the various offices of the house then appropriated to the home affairs and to the foreign, were generally introduced into the service at a very early age, and initiated and carried on in their respective offices, in which they usually rose by the rule of seniority. This had been a long established practice, recommended by reason and experience, as the best mode of forming a stock of official knowledge, and providing for the due conduct of all the business of routine. But there are departments in the India house where talents and knowledge of a very superior order are required; such, especially, is the department of the examiner of India correspondence, in its various branches, distinguished into political, military, revenue, and judicial, &c. For these it may, or may not happen that the requisite talents are always to be found in the degree or to the extent required among the servants trained within the house; and then will arise the alternative either of submitting to the inadequate execution of very important business, or of seeking for the requisite qualifications beyond the pale of

the service. An exigency of this kind pressed so much upon the court of directors in the year 1809, that they felt themselves obliged to bring it before the general court, and to propose the appointment of three assistants in the large departments of correspondence before mentioned, for the revenue, judicial, and military branches respectively. All their assistants it was proposed to select, not from the service, but the general mass of society. The measure, though not denied to be necessary, was entertained by the court of proprietors with some expression of jealousy for the rights of the regularly trained servants of the house, and therefore, in the vote of acquiescence which was passed on the occasion by the general court, a sort of caveat was entered against drawing this measure into a precedent. So far, then, were the court of directors from having given any pledge to provide the requisite qualifications in future from extraneous sources, that they were rather cautioned against recurring in future to that expedient.

Mr. *Hume* here interrupted the hon. director. He said, the declaration he alluded to was this, that though there were no persons in the house, at that moment, capable of undertaking the duties of the military auditor's office, yet that there were young men coming forward, who, it was hoped, when they had a little more experience, would be found perfectly efficient; that provision was then made for instructing them in the duties of this office, and that there would be no necessity hereafter to seek for the assistance of strangers, as the directors would avail themselves, in future, of the talents which they found in the house.

Mr. *Grant* continued. How then, he demanded, would the censure of the hon. proprietor apply to the court of directors? Did he mean they should be blamed for not having formed those abilities which nature only could create and mould? The directors had systematically pursued the ancient practice before described for the supply of the home service. But the abilities of young men could not be ascertained, could not be matured all at once; the extent of their powers could only be developed in a course of time. It was not possible immediately to tell whether a young man, placed for instance in the military secretary's office, would ultimately be qualified to fill the situation of military secretary: time alone could develop his peculiar talents. The hon. proprietor's motion went either to censure the court of directors for not procuring within the walls of that house the talent required, or else for not drawing it from without. As to the former, they could not create talent. Natural talent, improved by cultivation and experience, was what the superior situations in many

of the Company's offices, particularly those connected with the foreign correspondence, required; and he could safely declare, that wherever ability was found in that house the court of directors wished to make the best and most proper use of it: But it did not follow that talent would always be found among those reared in the house commensurate to the exigencies of the service. This had been felt since the introduction of extraneous aid in 1809; but the court of directors have been slow to apply to that resource again, as well from their own indisposition as the jealousy then expressed by the court of proprietors. Hence they were prevented from seeking assistance out of doors, and obliged to confine themselves to such talent as they actually possessed within. But to expect that, on the system of taking in young men at a very early age to be trained in future years, a selection could at first be made which would ensure adequate talents for such arduous situations as were now in question, would obviously be vain. In general, no early decision could be made respecting a fitness of this kind; time and trial were necessary tests of it. The subjects to be handled could only be cognizable by mature age, and if young persons early received into the house were ultimately found incapable of performing the higher duties of any of the departments, in such case no other expedient remained but that of looking out of the India-house for persons possessing the necessary qualifications. Surely then the hon. proprietor did not mean, when he spoke of procuring a regular succession of adequate talent, that the directors could be expected to engage for that within the house which only time and nature could produce; or, on the other hand, that after the distrust which the general court had indicated when extraneous aid was first proposed, they should be forward to come again before the proprietors with other propositions of the same kind? and especially if, to fulfil the pledge which the hon. proprietor erroneously supposed them to have given, they were frequently to recommend the introduction of strangers. Here, said the hon. director, the executive body felt themselves placed between difficulties, and he looked upon the whole proposition now submitted to them in the shape of an amendment, to proceed entirely upon mistaken promises, to be completely useless in itself, and to convey a censure on the court of directors which was perfectly undeserved. The only safe plan on which they could proceed was this, to make the utmost use of the ability which they found within their walls, but when talent was wanted which they could not discover in the house nor do without, to look abroad sooner than sub

mit to so serious an evil as that of having momentous business imperfectly performed. His opinion was, ten years ago, that although the company possessed considerable ability within the house, and indeed that several of the heads of offices were men of distinguished fitness for their situations, yet that the affairs of the Eastern empire had extended to such a magnitude as to require for the conduct of the correspondence with the various governments more instruments and more powers than the actual establishment afforded. Economical motives had always checked the court of directors from proposing measures that would be attended with any considerable expense; but such had been the progressive increase, such especially was now the prodigious extent of the Company's dominions, producing proportionable details of military, political, revenue, judicial, and miscellaneous correspondence from hence, that persons who were at all acquainted with the subject, must confess they were conducted by fewer instruments than those employed by any other government on the face of the earth of equal importance. (*Hear, hear!*) It was clearly necessary that eminent abilities should be selected where eminent services were to be performed. He would, in the first place, look for talent in the house, and he would give the utmost indulgence to those who were reared up in the service; but if the Company could not find persons within their walls possessing talents adequate to the fulfilment of particular duties, they must go out of the house to seek for them. This, he conceived, was the only just view which could be taken of the subject, and what the hon. proprietor himself could hardly avoid acquiescing in, though, in his misapprehension of what had before passed, he had groundlessly censured the court of directors. On another topic suggested by the speech of the hon. member, Mr. Grant said he hoped to be indulged in a few words. He must take the liberty to say, that the interference of any hon. proprietor, however well informed he might be, in the details of the business of the house, and the arrangements growing out of them, details and arrangements immediately in the province of the court of directors, he thought uncalled for and unnecessary; and that this was a sort of proceeding which, of all others, a candid and liberal proprietor would be slow to enter upon with respect to the executive body. (*Hear, hear!*)

Mr. R. Jackson said, as he was the mover of the amendment to the original resolution for the appointment of Colonel Salmond, he wished to make a few observations before the question was put from the chair. Cordially approving as

he did of Colonel Salmond's introduction to their service, cordially approving of his former increase of salary, and most cordially approving of the addition now proposed, he was extremely desirous that the ground on which he acted should be well understood. A want of that accurate recollection, which the hon. director who had just addressed them was known to possess, had, he feared, betrayed him (Mr. J.) into something like a misrepresentation; but he could assure the court that he would not wilfully mislead them. He believed he was incorrect in stating, that the directors had rather argued against the resolution of amendment adopted by the proprietors in 1809; indeed he was much mistaken if he had not previously submitted his amendment to the chairman of the day (Mr. Grant), with whom at that time he was much in the habit of communicating, before he came into court. He recollected, and he would not be doing justice to the court of directors if he did not state, that they were most willing to agree to any fair restriction proposed by gentlemen outside of the bar, with reference to a due attention to the interests of the individuals brought up in the India-house, reserving to themselves, however, the right of selecting persons from without doors, when peculiar circumstances rendered such a step absolutely necessary. He believed that the amendment he proposed expressly contained this reservation, "that when a case of special necessity did arise it should be consulted, but that on all other occasions a decided preference should be given to gentlemen bred in the house." He well remembered it was stated at the time, that individuals who came into their service at an early period of life, whose hope of prosperity depended entirely on regular promotion, who expected to be raised by progressive gradation, and who frequently formed family connections in consequence of the fair prospect which the service held out to them, ought not to be overlooked, unless imperative necessity required it. Nothing, it was said, could be conceived more cruel or ungenerous, than to place persons not originally in the service over their heads, at a time of life when perhaps they particularly looked forward to promotion, and to increase of honour as well as of income. This was the line of argument which he (Mr. Jackson) remembered to have pursued, and that it was met in a kind and cordial spirit by the gentlemen behind the bar. The hon. director had observed, in his frank and candid speech, that it was not right for the proprietors to interfere with the detail of affairs which were entrusted exclusively to the direction of the executive body. The hon. director would do him the justice to admit, that

the interference which he (Mr. J.) had deemed proper, was not with respect to detail, but with reference to principle; and that no less a principle than whether or no the Company should uniformly continue to encourage, promote, and preserve the interests of those who were properly enough called their children, the servants of that house? When that system was broken in upon to any extent, it ceased to be a question of detail, and became one of principle, and as such it was obligatory on the proprietors to take it up. With respect to the resolution now brought before them by the court of directors, he believed the department to which it related was of such a nature, that they could not get Colonel Salmond proper adjuncts without travelling beyond the walls of that house. He thought it was impossible to carry on the business of that great military office unless they procured assistants who were well skilled in military affairs, and who could boast of military experience. It was not possible, in his opinion, to render this office effectual, without occasionally departing from the established system, and procuring the aid of military men. He would be the last man to impugn the conduct of the directors with respect to the discretion they exercised on this subject; he believed they looked out for the most proper and efficient persons, when they were compelled to seek abroad for assistance; actuated by the best intentions, they would, he had no doubt, when they could give a preference to the Company's invaluable retired officers, choose gentlemen of known good conduct, military character, and extensive experience. With regard to Col. Salmond, he did not, at the time of his introduction, come before the court as a candidate for office, but the court of directors did on that occasion, as he exhorted them always to do in similar circumstances, they invited the services of a man of ability. It was one of the attributes of sovereign wisdom not to wait for the application or supplication of men of talent, but when governments required such aid in the business of a great and arduous department, they ought not to think it derogated from the dignity of the executive to say to such a man, "we invite the exertion of your abilities—will such a stipend remunerate you for the services you will be called on to perform?" This was precisely the case here; but he suspected that Colonel Salmond, in the first instance, entered on his situation rather relying on the liberality of the Company to grant him an adequate reward at a future period, than stipulating very nicely in the outset; with that feeling he believed Col. Salmond was content to forget for the moment what he owed to his family, and to take an office for the two first years

at a considerable loss. He removed his family from a suitable situation in a cheap country to a most expensive one in London, and no doubt could be entertained but that he undertook the office on rather too low terms; therefore, at a future period, when the Company had become convinced of his great skill and consummate ability, the court of directors acted but with common honour in recommending to the proprietors an increase of salary, and thus redeeming the pledge that had been given to him. Let the court consider what Col. Salmond's situation was in another point of view; he was not in an office to which annual emoluments were attached beyond what he received as salary, nothing was given under the head of gratuity, or under any other term or title; he believed his office did not come within the pale of those gratuities that would have improved his income; but after serving a number of years, he said, what he ought to have said sooner, "you see what I am, you see what I can do, you are the best judges of my merits; I must now respectfully state, I have a family which must be provided for, and that cannot be done out of my present salary." The Company at that time gave him but £200 a year, and no proposition ever gave him (Mr. Jackson) more satisfaction than that for increasing his salary to £1500 per ann.; the duties demanded it, and if he at all regretted any thing connected with the increase now proposed, it was the accession of labour by which it was accompanied. It was now proposed to give him £2000 a year, and even when paid at that rate he would be one of the cheapest servants in the establishment. He knew no man who did more for his money, and it should be observed that all the duties he performed were of the most important nature. He, therefore, taking his hon. friend (Mr. Hume's) motion in good part, though he could not agree to all of it (hoping the spirit of it would not evaporate, but that the court of directors would take measures to procure a proper succession), suggested the propriety of not pressing it at the present moment. He did not conceive that any good objection could be made to the amount of salary proposed to be given to Col. Salmond. His opinion was that Col. Salmond should be amply remunerated, but that the Company should, as soon as possible, take such steps as would prevent them from being dependent on his individual talents. It was the more necessary that they should do so, when they recollected the extent of the business Col. Salmond had to perform. The case of every individual in the three Indian armies who considered himself hardly dealt by, and who wrote home on the subject, came under his cognizance, and an

infinitude of documents must necessarily go through his hands. It was not possible for the court of directors to inspect them in the first instance. Gentlemen would recollect the masses of papers which, in only two or three cases, had been lately laid on their table. So voluminous were these documents, that they frightened persons from examining them; and yet, in addition to such, Col. Salmond had to look to the case of every dissatisfied officer in India who addressed the authorities at home. When he said every dissatisfied officer, he did not mean to deter those gallant men from putting in their modest claims; on the contrary, he wished the speediest attention to be paid to them: but to go through these complicated duties, to peruse these multitudinous documents, it was necessary that there should be an able functionary. It was indeed scarcely possible for any one to endure such a course of slavish reading, except men of his (Mr. Jackson's) profession, who were daily and hourly condemned to it. Col. Salmond had undertaken one of the most laborious situations, he had proved himself to be a most deserving officer, and he therefore cheerfully agreed to the proposition. He was sorry that his hon. friend did not strike out of his amendment those lines which even hinted an opinion that a larger sum was proposed than ought in future to be attached to Col. Salmond's situation. He hoped Col. Salmond would long continue to give the Company his zealous services; and he trusted the court of directors would profit by the observations of his hon. friend, and take care to render the public service as little dependent as possible on the health or life of any individual whatever. (*Hear, hear!*)

Mr. Bosanquet rose, not to lengthen but to contract the present debate. Two things were mixed up quite unnecessarily in the amendment. Two distinct propositions were without any reason brought forward by the hon. proprietor; one related to the salary of Col. Salmond, and the other to some supposed impropriety or neglect on the part of the directors, with respect to the arrangement they had made in the office of military secretary. If it were necessary for him to say any thing on the subject of Col. Salmond's talents, he was perfectly ready to do so; but he, and he believed the whole court, felt that it was perfectly unnecessary. His opinion, as one of their servants, was this: that the sum proposed to be granted to Col. Salmond was necessary to keep him in the situation, to retain him in the Company's service; and he would say that it was well deserved by the gentleman for whom it was required. He flattered himself, Col. Salmond's usefulness being admitted, that the original resolution

would be unanimously agreed to. If there were any thing in what had fallen from the hon. proprietor which made it necessary that the conduct of gentlemen behind the bar should be impeached, if they had given pledges which they had not performed, if they had not made arrangements which they declared they would establish, he hoped the accusation would be made the subject of a distinct proposition. He would not go to the extent of saying that they had done every thing they ought to do; but he pledged himself to meet this part of the question at any time, and to justify before that court the conduct adopted by the executive body. If, when he had made himself master of this subject, and it came regularly to be discussed, anything was found to be improperly done or to have been neglected by the court of directors, he would be ready, whether the blame lighted on his shoulders or on those of others, to acknowledge that the hon. proprietor was right and the executive body were wrong. He hoped the court would see the propriety of granting this sum of £500 per annum, as an increase to the salary of their military secretary; and he would only add to what he had already stated, that whether the proprietors loaded him with a larger benefit or lessened the sum now proposed, Col. Salmond, by his meritorious services, had deserved well of the Company.

Mr. Robinson hoped, as the business was now fully before the court, that he might be allowed to answer some part of the reflections thrown on the executive body by the hon. proprietor who had caused this discussion. In his amendment he did not object to the substantive vote of the court of directors for an addition to the salary of Col. Salmond, but he had charged the executive body with a neglect of duty. That charge had been so fully answered, as to render it unnecessary for him to say anything on the subject. But the hon. proprietor had gone farther. He had also accused the court of directors with inconsistency of conduct, an accusation which he thought he could explain so satisfactorily that the court would not agree with the amendment; which, in fact, had nothing in it but the stigma intended to be thrown on the directors. It might have been stated long since, that the duties of the military auditor were so great as to require the aid of an assistant secretary, in order to lighten the labours of the situation. When the duties were performed by the military auditor, before assistance was obtained, they were executed in a manner that greatly exceeded the expectation of any individual who had an opportunity of witnessing his exertions. But, at the same time, it was to

be recollected, that having a great deal of civil business under his charge, he could not give that attention to the military department which was necessary. The inevitable consequence was, that Col. Salmoud found a very great arrear of business when he took charge of the office; so much indeed, that with all the attention and ability which he had devoted to the duties that devolved on him, it was only within these few months that he had conquered arrear. He had now, however, the pleasure of stating to the court, that the whole military correspondence was completed up to the latest period, that not the slightest part of it was at present in arrear. (*Hear, hear!*) This being the case, it was the duty of the court of directors to consider how the abilities of Col. Salmoud could be applied with most advantage to the service of the Company. The hon. chairman knew that the detail of the military business of India had been committed to different hands. The memorials were before the committee of correspondence, and other branches of the same service were submitted to different bodies of the direction, without the knowledge of the military secretary, although he was in fact the military correspondent. The consequence was, that errors and misconceptions, which such a mode of doing business must necessarily produce, did sometimes occur in the military correspondence. The attention of the court of directors was therefore drawn to the propriety of placing the whole of that correspondence under the supervision of the military secretary, whenever it could be conveniently done. That period had now arrived, and the transfer was made. It was true Col. Salmoud had a greater variety of business to attend to, but it was equally true that he had not a greater portion of actual employment than he formerly had; for every hour of his life, at least the usual hours of transacting business, were previously engaged in this house. Therefore he contended, that when the court of directors stated, bearing in mind the arrear of correspondence, that Col. Salmoud could not undertake the whole business and allotted a part of it to Col. Bryce, and when at a subsequent period they found he had conquered that arrear, it was on their part a measure of necessity and of propriety to transfer to him the duties which he (Mr. Robinson) had mentioned, and in doing so the executive body had committed no sort of inconsistency whatever. (*Hear, hear!*)

The *Chairman* said, he hoped the hon. proprietor would not attempt to encumber a plain proposition, of a distinct and substantive nature, having for its object the granting a well-merited reward to a faithful servant, by persisting in an amendment which embraced matter, to

say the least of it, somewhat extraneous. As had already been stated by the hon. director, if the executive body be thought deficient or negligent in the performance of their duties, let them be brought fairly and openly before the court, let not the charge appear collaterally in a business not at all connected with it. The vote proposed by the court of directors had nothing to do with the successor to Col. Salmoud. That gentleman, he was happy to say, enjoyed very good health and strength, and would, he hoped, serve the Company efficiently for many years. The court were only called upon to give him this increase as a reward for his past, and a fair and honest stimulus for his future exertions, which he should be sorry to see rendered less zealous in consequence of any words which might be added to the resolution, either by the court of directors or by any other body. The hon. proprietor had certainly advanced two or three points under considerable error, but his hon. friend (Mr. Robinson) had set him right. He had endeavoured to prove an inconsistency on the part of the directors in the arrangement they had formerly, and that which they had recently made; but his hon. friend had shewn that it was a proceeding which naturally grew out of the circumstances of the case. At this moment Colonel Salmoud, overwhelmed as he was with business, had brought up the military correspondence to the latest period. He had not only done this, but he had brought personal applications for the redress of grievances, &c. before the court of directors, and almost the whole of them had been adjudicated. (*Hear, hear!*) He believed that scarcely one military case now remained before the court.—(*Hear, hear!*) It was said that the directors had neglected their duty in not providing for a regular succession of officers in this department; but those who knew military subjects properly must be aware that information of the description required in that office was not to be gained in a moment: it was only to be acquired by attention and experience. He begged to state to the court, that Colonel Salmoud did at present derive considerable assistance from a very intelligent young man: * if fate should snatch Col. Salmoud from their service, he did not mean to say that this young man would be at once able to perform the duties of the office, but his attention and application were such, that a period he hoped would arrive when the individual to whom he alluded would be capable of undertaking the task. He stated this particularly, because he wished the court of directors to be relieved from the charge of neglecting talent and ability. As had

* Mr. Philip Martin.

been said by his hon. friend Mr. Grant, mental qualifications must be bestowed by nature; they could not be forced beyond a certain point. Talent and ability could not, like fruit trees, be placed in a hot house and forced into premature perfection. If the directors had failed in procuring abilities in that house, it was to be attributed to natural causes, and did not arise from any neglect whatever. He could state, for himself, and for all those around him, that a stranger was never introduced into that house without the deepest regret, and under the influence of the most positive and decided necessity. He hoped the conduct of the court of directors would be viewed with candour, and that the vote of £500 a year in addition to Colonel Salmond's salary would pass without this amendment, which was an incumbrance to the proceedings and altogether unnecessary. (*Hear, hear!*)

Mr. Hume said, no part of the amendment which he had submitted to the court, after striking out the last clause, objected in the slightest degree to the proposed grant; no words had fallen from him expressive of any wish not to give every encouragement to Col. Salmond: the only point of that amendment which contained any objection related to the sum contained in the resolution of the court of directors. With respect to the other portion of the amendment, he wanted no other argument to prove that it was founded on just reasoning beyond the few words that fell from the hon. chairman that moment. He had stated that it required a long life to prepare an individual for this situation; and yet, before the sentence was closed, that a young man brought up in the house was almost capable of undertaking the duties. His objections to the proceedings of the court of directors were twofold: first, that they had not provided for a regular succession; and next, that they had only given one reason for this increase, namely, that they had loaded Colonel Salmond with an increase of duty. He did not oppose the increase of salary, but he certainly objected to the reason they assigned for granting it. The amendment did not operate at all against Colonel Salmond, but against those principles to which he had been always adverse. He thought the statement he had made had not been fairly treated; and he could not see that he had been guilty of the improper interference to which the hon. director (Mr. Grant) had alluded. Undoubtedly the attempt to find fault with the conduct pursued by any body of men must be unpleasant to those immediately concerned, but that consideration ought not to stand in the way of the performance of a public duty. This was not a matter of detail, but of pounds shillings and pence: and as his amend-

ment did not militate against anything contained in the original resolution, he hoped it would be suffered to remain. He wished to see this department properly supported; and he hoped the amendment would be agreed to, as a kind of spur to the court of directors. He would remove every thing offensive from the amendment, and he hoped it would have the effect of causing the directors to provide for a proper succession in the office of military secretary.

Mr. Grant hoped the court would allow him to read the resolution of 1809, they would then be enabled to judge whether his interpretation of it, or that of the hon. proprietor, were the more correct.

"That this court relying on the discretion of the court of directors, and fully sensible of the justice and weight of the observations contained in the report now read, recommending the appointment of a military secretary and two assistant secretaries in the auditor's office, agree in the propriety of the said recommendation; but that this court, while it approves of the proposed appointments, desires to express its own sense of the necessity of continuing the protection of the East-India Company to those individuals who have performed long and meritorious services in this house. And this court farther resolves, that if the court of directors find it necessary to place persons not regularly bred in the house in those situations, the said appointments shall in no wise be drawn into a precedent hereafter."

He (Mr. Grant) now asked of the court of proprietors, whether the view he had taken of this resolution did at all comport with that expressed by the hon. proprietor, which, if it meant anything, went directly to cramp and fetter the discretion of the court of directors, an object which was not contemplated when the resolution was passed.

Mr. D. Kinnaird said, it was not his intention to vote for the amendment, because he thought the directors had not forgotten any part of their duty. He felt that they were placed in a very awkward situation. First, they were told of the necessity of making appointments to this office, and next they were reminded of the great jealousy with which that court viewed any attempt to introduce strangers within those walls. It was very hard to blame them for not having a superabundance of talent in that house, which it appeared was now called for. But on another occasion, perhaps, if it were stated that there was a great accession of talent, it would be said, "O, it is very true talent is an estimable thing, but take care of the funds, see that the account books are attended to." He felt that a very strong case indeed must be made

out to induce him to agree to a vote of censure, particularly when he recollected that there was the thunder of his hon. friend on the left (Mr. Hume) hanging over them whenever there appeared the slightest want of economy, or the least symptom of inattention on their part; and he confessed he was not ready to blame them on every occasion. He fully and entirely agreed in the sentiment that it was of great importance to have talent and ability in the house, and on every occasion when it was necessary he should feel himself called on to attend in his place, and support the directors when they drew on the funds of the Company in order to provide for an accession of talent. Great talent, in his opinion, could not be too highly rewarded.

The amendment was then negatived, and the original resolution was carried unanimously.

[The Chairman then introduced Mr. Wilkinson's case, for which see our number for April, page 450.]

ANNUITY TO MARQUIS HASTINGS.

East-India House, March 31, 1819.

A special General Court of Proprietors of East-India Stock was this day held at the Company's house in Leadenhall Street. The minutes of the last court having been read,

The *Chairman* said, he had to acquaint the court that it was met for the special purpose of considering a resolution of the court of directors of the 10th instant, granting to the most noble the Marquis of Hastings an annuity of £5000, to issue out of the territorial revenues in India, for the term of twenty years, which resolution should be immediately read by the clerk. The resolution was then read as follows:—

“At a court of directors held on Wednesday the 10th of March, it was resolved by the ballot, That the court, adverting to the repeated unanimous votes of thanks to the most noble the Marquis of Hastings, at the close of two glorious and successful wars, as they appear on the records of the East-India Company, and being deeply impressed with a high sense of the merits and services of that distinguished nobleman, and of the unwearied assiduity with which he has devoted himself to the attainment of a comprehensive knowledge of the Company's affairs, recommend to the general court of proprietors, that, as a testimony of the grateful sense entertained by the East-India Company of services and conduct so highly meritorious, an annuity of £5000, to issue out of the territorial revenues in India, for the term of twenty years, to commence from this day, be placed at the disposal of the court of directors, to be applied to the benefit and advantage of

the most noble the Marquis of Hastings, his Marchioness, and his family, in such manner as to the court may seem most expedient.”

Mr. *Hume* wished to ask a question, before the court proceeded with the regular business of the day. Agreeably to a provision of their by-laws, it was required, that all documents laid before the House of Commons should be submitted to the proprietors at the first court after they had been so furnished for the use of parliament; he, however, did not perceive, amongst the list of papers laid on their table, an account of the debts incurred by the Company in India during the last year, which had been regularly presented to parliament. He should like to know the reason of this omission?

The *Chairman* said, the by-law, sec. 4, chap. 1, ordained, “That such accounts and papers as may from time to time be laid before either houses of parliament by the court of directors, shall be laid before the next general court.” He believed that the document to which the hon. proprietor had alluded was not laid before the House of Commons by a court of directors, but by the secretary to the board of control.

Mr. *Hume* understood that all documents relative to India should, immediately after they had been laid before parliament, be submitted to the inspection of the directors. This, he believed, was the first time that the rule had been departed from. It was very important, on account of the grant they were now called on to make, that this document should be laid before them, in order that they might see what their debts really were before they proceeded to vote money. If the board of control had thought proper to order this paper to be presented to parliament, without giving notice to the court of directors, they did, in his mind, treat the proprietors with considerable disrespect. The spirit of the by-law evidently went to this, that documents once submitted to parliament should be laid before the next general court.

The *Chairman* said, he did not mean to enter into a discussion on this subject; if any error had occurred it certainly was not intentional. (*Hear, hear!*) He perceived that, according to the words of the by-law, the court of directors were literally and technically right; whether the by-law should be interpreted according to the hon. proprietor's construction or not was another point. It ought to be observed, that sometimes the notices for the production of papers were served on the board of commissioners, and sometimes were left at the India House. When they were sent to that house they were regularly laid before the proprietors. He dared to say that no difficulty would be

found in producing the paper, if necessary. (*Hear, hear!*)

Mr. Lowndes said, the production of the paper was perfectly agreeable to the spirit of the by-law. Those who opposed this opinion were quarrelling about words and splitting hairs.

Mr. R. Jackson said, that was not exactly the case; the matter was of more importance. It was easy to see what a perversion of one of their rules might be introduced, if the by-law were not strictly maintained. Thus, if it were desired to lay a paper before the House of Commons, and not before that court, those who meditated such a proceeding had only to place it in the hands of the president of the board of control, and by this means defeat the purpose and object of the by-law. He was however sure that, in this instance, no blame could be attached to any side.

The Chairman said, it was his duty to mention to the court, before the subject which they had that day met to consider was regularly gone into, that a circumstance of a very peculiar nature had taken place. Last evening, too late indeed for the court of directors to enter into a discussion on the subject, a letter was received from the president of the board of commissioners for managing the affairs of India, forwarding the opinion of the Attorney and Solicitor General on the vote now propounded to this court. The court of directors had thought it expedient and becoming that the proprietors should be made acquainted with this occurrence as soon as possible. The clerk should now read the communication to which he alluded.

The following were then read :

"To the Chairman and Deputy Chairman of the Court of Directors.

"India Board, March 30.

"Gentlemen :—I mentioned to you some days ago my intention of submitting, for the opinion of the Attorney and Solicitor-General, certain queries, as to the legality of the grant about to be proposed to the most noble the Marquis of Hastings, and as to the power of this board to approve and confirm that resolution, if the court of proprietors adopted it. I have but this moment received the opinion of the law officers, a copy of which I lose no time in transmitting to you.

"I remain, &c. G. CANNING."

"CASE.—The following resolution was agreed to at the court of directors, held on the 10th instant. [*Here follows the resolution.*] The power under which the above resolution has been agreed to will be found to be as follows :—By the statute of the 33d Geo. III. the territorial an-
nities were vested in the Company for a term provided for in the 73d sec. By the 53d of Geo. III. they were vested in

the Company for a further term, which might cease on the expiration of three years notice given by parliament, any time after the 10th of April 1831, and they were made applicable to the payment of the debts of the Company. By the 125th sec. of the 53d of Geo. III. the Company were restricted from using those territories except for particular purposes, and farther restraints were imposed by the act of the 55th Geo. III. Now, supposing the resolution to be verified, we ask your opinion as to whether the board of commissioners can legally approve and confirm the same?

"Answer.—The court of directors and proprietors of East-India Stock can have no legal power to grant a pension out of the territorial revenues for any longer term than that for which they enjoy them. That term may be determined at the end of three years after April 1831. The grant proposed cannot therefore be considered a legal grant, and the board of commissioners cannot approve and confirm it.

"Second.—Whether such resolution, being agreed to, would give to the Marquis of Hastings and his Marchioness a claim to an annuity under twenty years, or for that period, independent of the acts of the legislature?

"Answer.—The grant would give the Marquis of Hastings, on the face of it, a right for twenty years against the East-India Company; but when their term ceased, the annuity, under that resolution, would not be binding. It was not warranted by law, and the board of commissioners could not sanction it.

"Third.—Whether the board of commissioners can lawfully approve such resolution, with a proviso as to a future consideration of its validity?

"Answer.—If the board of commissioners approve the resolution, subject to a proviso, such resolution will not come within the provisions of the act of the 55th of Geo. III., such qualified resolution was not within the meaning of that statute.

"Fourth.—Whether the resolution, if approved and confirmed by the board of commissioners, with this proviso, would be valid and binding?

"This is answered by the answer to the preceding query. Such an approval (with a proviso) could not be considered as a confirmation, and would, in fact, amount to a rejection."

The Chairman said, he had only to state that this communication came so late on the preceding evening, that the court of directors had not an opportunity of considering it.

Mr. R. Jackson hoped the court would allow him to ask what course the executive body now proposed to adopt? The

resolution of the court of directors, which had recently been read, recommended in strong terms a certain measure. He might unfortunately differ in opinion from those who had agreed to that resolution; but still the proprietors must know, from the high authority of the executive body, what line of conduct they meant to pursue before they could originate any proceeding. He was quite prepared, if it did not interpose to prevent the carrying into effect any measure contemplated by the court of directors, to move an original resolution with respect to the Marquis of Hastings; such a resolution as he had reason to know would be most acceptable to the family of the noble marquis—such a resolution as the noble marquis would willingly accede to—such a resolution which, as a lawyer, he would venture to say was wholly free from any legal objection. As the court was now placed in a situation of considerable difficulty, it would perhaps enlighten all who were present if the proceedings of the court of directors on this subject were read for their information: there could be no secret in them, and much benefit might be derived from their perusal.

This proposition being agreed to, the clerk proceeded to read the minutes; from which it appeared, that on Friday the 5th of March, the chairman stated to the court of directors his intention of submitting, on the Wednesday following, a resolution granting a certain sum of money to the most noble the Marquis of Hastings. On Wednesday the 10th March, the chairman, with the consent of the court of directors, withdrew the motion of which he had given notice, and moved, in lieu thereof, that the sum of £60,000 should be granted in trust to the right hon. Charles Hope, lord president of the Court of Session, the right hon. — Cathcart, Lord Galloway, David Boyle, Esq. and T. W. Adam, Esq. to be laid out in the purchase of estates in any part of the United Kingdom, for the use and benefit of the most noble the Marquis of Hastings, his marchioness, and their issue. It was proposed to amend this motion by leaving out all the words in the latter part of the resolution, relative to placing in the hands of trustees the sum of £60,000 for the purchase of estates, and inserting instead of them, “an annuity of £5000, to issue out of the territorial revenues in India, for the term of twenty years.” The question “that the words proposed to be left out, stand part of the resolution,” passed in the negative, by the ballot; and the words of the amendment passed by the ballot to the affirmative. It was then moved to add to the resolution the following words, “provided also that the territory continue so long in the possession of the

East India Company.” On this it was moved that this court do adjourn; which, as well as the last amendment, passed in the negative. The main question (namely, the resolution, as laid before the proprietors this day), was then carried in the affirmative.

Mr. R. Jackson (the minutes of the court of directors having been read) observed, that the proprietors were then placed in a situation precisely the same as if no resolution had been proposed by the gentlemen behind the bar; inasmuch as that which they were about to recommend, the proprietors were informed, from authority too high to enter a conflict with on that day, would, if agreed to, be illegal. If the resolution which the clerk had read had been regularly proposed, it was his intention to have moved an alteration by way of amendment, namely, that after the word “that” all the rest of the resolution should be expunged, in order to make room for that proposition which had been submitted to the court of directors, and which it appeared to him would be in every respect the most proper resolution for them to come to. They were by accident brought back to the good old practice of originating resolutions of this kind themselves; and with all respect for the gentlemen behind the bar, he must protest, as he had formerly done, against such resolutions commencing with them. As it had thus happily, in his opinion, turned out that they were once more left to the exercise of their own discretion, they had only to be guided by the cases of the Marquis Cornwallis and the Marquis Wellesley, and they would find that they had exercised their right, though by way of amendment; and they had even done so on the vote lately proposed respecting the Marquis of Hastings. He said this with the utmost respect and good humour, and he still flattered himself that the proceedings of this day would lead to the final and utter abandonment of the new-born practice of originating resolutions of this nature at the other side of the bar instead of that at which he had the honour of speaking. He would now state the grounds on which he preferred the resolution negated by the court of directors, to that which had been agreed to.

Mr. Grant rose to order. He contended that the learned gent. had taken a course which he was not warranted in pursuing. The court was assembled by advertisement to consider of a certain proposition to be laid before them by the court of directors; that proposition the law officers of the crown considered illegal, and then the learned gent. had assumed at once that all farther proceeding on this subject was out of the hands of the court of directors. Nothing could be

more unfair than such an assumption. The chairman had stated to the court that a want of time prevented the directors from considering the question subsequently to the receipt of the communication from the board of control, and of propounding, if necessary, another resolution. He submitted whether the executive body, having brought the proposition before the court as it now stood, and not having had an opportunity of forming another, it was not still proper to leave it to them to modify it as they might think fit: he therefore called on the court to say, whether some farther time should not be given to them to form an unobjectionable resolution. He thought, if the proprietors adopted the proceeding recommended, it would be treating the court of directors with a degree of disrespect which for thirty years he had never witnessed; it would be better at once to set them aside if they were conceived to be inefficient. He put it to the court, whether the learned gent. had any right to go on with this proposition, or whether the court of directors were not entitled to proceed before his proposition was entertained? He took it for granted that the executive body had entirely done with the business; that, however, was a matter wholly for the consideration of the directors. With respect to the other doctrine introduced by the learned gentleman, as to the right of originating resolutions behind the bar, he would be ready, with all deference, to meet him on it whenever it came regularly before the court? The question now was, whether the proprietors could consider a fresh proposition of which no notice had been given.

Mr. *Hume* rose to point out to his learned friend, that nothing could be less in order than the course he proposed. What he wished to know was, whether the proceedings of the court of directors which had just been read ought not to have been made known to the proprietors, according to sect. 19, chapter vi. of the by-laws, not as a matter of special favour, but as growing out of the regular course which the regulations of the Company directed. If it were proper that those proceedings should be read now, he thought they ought to have been laid before the court prior to the resolution which they had been assembled to consider; because the proprietors ought, as far as possible, to be put in possession of the grounds on which the proposed motion rested. What he considered of very great importance to the court was, that the proceedings of the directors proved that a very great difference of opinion existed with respect to the propriety of this grant; first as to its amount, and next as to the fitness of voting an annuity or a gross sum. He conceived that the withholding all opinion

as to the political merits of the Marquis of Hastings was a very extraordinary circumstance, knowing that these proceedings manifested a very great difference of opinion, perceiving that the resolution was signed by a bare majority of the court of directors, seeing that what passed in that court was not laid before the proprietors as according to the by-law he thought it should have been, and above all, when the resolution was declared illegal and improper, he felt that they could not proceed farther on this occasion. Five years ago he called the attention of the court to the very same subject; at that time he delivered an opinion, the validity of which was afterwards admitted, that the court had not the power of continuing annuities beyond the period to which their charter extended. The consequence was, that under their last charter all the pensions were renewed, with the avowed statement that such renewal was necessary because they had lost their lease. Now, as to the validity of the grant, the court had no time to consider of it; neither was it competent for them to discuss another motion for the grant of £60,000. There was no course left open for the court but to adjourn, and at some proper time to meet and decide on another resolution; the measure was not one that required hurry, and he thought, with every feeling of respect towards the Marquis of Hastings, that it would be now more consistent with the honour of that individual, and with the regularity of the proceedings of that court, taking into view the unforeseen circumstances which had arisen, if they adjourned immediately. When the question was again brought before the court, he trusted the political conduct of the Governor-general would be noticed in the resolution.—[A cry of *no, no!* from several proprietors.]—Whatever might be the opinion of gentlemen on that subject, he conceived they were utterly incapable of proceeding at present, and that therefore the court ought to adjourn.

The *Chairman* said, the hon. gentleman who had just spoken to order, seemed to suppose that the court of directors had failed in their duty to the proprietors, because they had not stated to them the proceedings which had taken place before the executive body came to the resolution, which the court had been assembled to consider. No such thing, however, was enjoined by their by-laws: all they ordained was, that every resolution of the court of directors for granting a pension amounting to more than £200 per annum should be laid before the proprietors. The directors were not called on to submit previous discussions, previous votes, or previous amendments, to the proprietors; their duty was to submit to

their constituents every resolution of the description then before them in the form of a report, stating the grounds on which they had thought proper to act. He would maintain that what the court of directors had done, in bringing this paper before the proprietors, had fully complied with the letter and spirit of the by-law. It was not necessary that the proprietors should know how John, Thomas, and Richard had voted on any subject; all the directors had to do was to inform the general court of the result of the deliberation which the executive body had given to any particular question.

Mr. *Bosanquet* wished to say a few words, to bring the court back to that order from which they appeared to have strayed. With respect to the point which the hon. chairman had so ably explained to the court, he presumed that even the hon. proprietor (Mr. *Hume*) himself must now admit, that with reference to the by-law there was no obligation on the executive body to make the proprietors acquainted with what passed in the court of directors when a difference of opinion prevailed. Perhaps it might be necessary, where there was a great and serious difference of opinion, to let the proprietors know what had occurred; and he hoped, on an occasion of that kind, that no gentleman behind the bar would feel any reluctance in speaking his sentiments plainly and openly. (*Hear, hear!*) On another point he was prepared to correct his learned friend, who had told the proprietors that he meant to follow up the proposition submitted to the court of directors for granting £50,000 to the Marquis of Hastings. It was perfectly clear, and he thought his learned friend ought to have anticipated the objection, that it was quite impossible that such a motion as that which he contemplated could be made in the present court with any effect. The by-law expressly said, "that no motions should be made in a general court to forgive any offences committed by any of the Company's servants, or to make any grants of any sums of money out of the Company's cash, without notice being given in writing at least fourteen days previous to the holding of such general court." Now the notice published was this, "that the court of directors meant to propose, for the approbation of the proprietors, that a pension of £5000 per annum for twenty years should be granted to the Marquis of Hastings;" and he contended that the substitution of another description of remuneration to the name Marquis would be decidedly illegal. Under these circumstances, his opinion coincided with that of the hon. proprietor (Mr. *Hume*), who had very pro-

perly stated that the best, and indeed the only course that could be pursued on the present occasion was to adjourn, for the purpose of giving the court of directors an opportunity of fully considering the legal opinion which had been handed to them, and laid before the proprietors. The court of directors, and the hon. person whose letter had been read, had no wish except to discharge their mutual duties; and with respect to the opinion which had been given on the subject of the resolution propounded to this court, he could only say that it came before them in a very extraordinary manner. There was one other point to which he wished to advert. His learned friend had stated in the outset that the opinion came from too high an authority to be disputed. He (Mr. *Bosanquet*) admitted that his abilities were very humble, but he felt that he should not deserve to hold the situation in which the proprietors had done him the honour to place him, if he did not state, that he was disposed to controvert that opinion. He did not pretend to much legal knowledge; but, cursorily as he had looked at that opinion, there was one point in it which appeared to him to be founded in mistake. The law officers took it for granted that the Company had a right to the territorial revenues of India for a certain number of years only: that was a principle which he could not admit. They had heretofore acted on a very different ground. The Company had acquired those territories at the expense of their blood and treasure, and they were entitled, if those territories were taken from them, as had been said by the Earl of Chatham, to a liberal compensation on the part of the public. On this ground he meant to stand; and he conceived there was no provision to be found in any charter that had been granted to the Company to justify the principle on which the opinion of the attorney and solicitor general was founded. It was very true the public and the Company equally waived the discussion of this point; but it must not be forgotten that the Company never had admitted, neither had government called on them to admit, that they had not a constitutional right to apply their territorial revenues in that way which appeared most advisable to them. Whatever might befall him, whenever he found individuals ready to oppose his opinion on this subject, he was prepared to stand in the front of the battle, and see that ample justice was done out to the Company. (*Hear, hear!*)

Mr. *R. Jackson* said, he was anxious, in the first instance, to reply to the motion of order. The hon. chairman (Mr. *Grant*) seemed to think that he had proposed some irregularity in stating that he was prepared to bring forward a motion.

motion. When an opinion was delivered which prevented the court from proceeding, he was told that it was unfair and incorrect to make a different proposition, because the resolution would then be taken out of the hands of the directors, which would be an undue interference with the executive body. To this he would shortly answer, that when it suited the hon. gentleman's purpose, he was a proprietor; and again, when it was more agreeable to his views, he was a director. This was, however, a court of proprietors, of proprietors only, and no person knew that fact better than the hon. gentleman, who, when a division ran very close, did not forget to hold up his hand: and should the popular voice censure the proceeding, then it was that the hon. director exclaimed, "Recollect, gentlemen, this is a court of proprietors." Now if this were the fact, if they were indeed only a court of proprietors, then he had a right to propound any motion he pleased, provided it were consistent with the notice given. The court of directors must do him the justice to admit, that before he proceeded he gave them a considerable portion of time, in order that they might consider how they were to act on this occasion. He had asked more than once whether they had made up their minds as to the form or mode of proceeding that should be adopted; and it was not till he found that they had not decided on any course that he rose to state the nature of his proposition. Undoubtedly he could only proceed as far as was legally consistent with the notice; and if he had not been interrupted, it was known to some gentlemen about him that he meant himself to move an adjournment, to state the grounds of that adjournment, and finally to give notice of the proposition which he intended to bring forward. He conceived that the adjournment should be moved on more than one ground, at the same time that he did not think an immediate proceeding would be contrary to the by-law. When the hon. director (Mr. Bosanquet) commenced his address, he trembled, lest he had involved his character as a lawyer by some illegal proposition or solecism in language, when he said that it was competent to the court to make a grant of £60,000 to the Marquis of Hastings. He did not, however, on consideration, think it was necessary to invoke the by-law as to the legality of such a proceeding. He had himself taken the distinction between a grant of £60,000 and a pension of £5000 per annum for twenty years. He knew that the first bestowed a shadow of the form of notice; but he also knew that a pension of £5000 was £3000 less than a grant of £60,000, and that a pension of £5000 per annum for twenty years, when the court

were aware, for it had long since been decided, that under the same notice they might lessen a grant though they could not increase it; therefore he contended, if this were a mere pecuniary question, they might proceed in the course to which he alluded; it was perfectly within the protection of the by-law, inasmuch as the amended grant was less than that originally proposed. The only difference was, that the one motion referred to a round sum, and the other to a pension; but still, in point of fact, such were the peculiarities of the case, that he thought the court ought to adjourn. It was known that his intention was to suggest this course, since what he meant to propose differed so seriously in form from the original resolution, although the variation in amount was very trifling.

The *Chairman*. "Are the court to understand that the learned gentleman's speech will conclude with the motion for adjournment?"

Mr. R. Jackson said, he meant to finish with moving that the court should adjourn, and he would state his reasons for taking this step. With respect to the opinion that had been laid before the court, the hon. director (Mr. Bosanquet) had misconceived his observation. He did not say that it was an opinion not to be disputed, and indeed he had some doubts of its validity. His observation was, that after the reception of such an opinion it would not be right this day to enter into a conflict with it. He agreed with the hon. director in what he said with respect to the right which the Company had to demand compensation from the public if they were deprived of that which had been acquired by their own resources and energies. He would not, however, enter into the serious and important subject of their territorial rights; as a friend to the Company and to the court of directors, he deprecated the discussion of that question; he should always feel a strong indisposition to encourage any proposition that of necessity would force upon the court questions of grave extent, and of the most serious importance, with regard to their territorial rights. They ought not to enter into discussions without any necessity, in a mere fit of wantonness, on a subject to which the legislature had for four succeeding charters given the go-bye. Let the court now adjourn, and when they again assembled, a specific motion for a grant of £60,000 might be made with the utmost propriety, because it did not involve the serious consideration to which he had adverted. A resolution of that kind, without assuming to be on terms of private intimacy with the Marquis of Hastings, he had his authority for believing would be most agreeable to him. He would not

of the hon. chairman, he would ask of the friends of the noble marquis on both sides the bar, with a perfect conviction of what their answer would be, whether such a resolution would not be most acceptable to the Marquis of Hastings, although less in amount than the former? Why would it be most acceptable? One great reason was, because it would be infinitely more respectful, therefore it would be more acceptable to this high minded man. The first motion proposed to the court of directors, which went to invest £60,000 in the hands of gentlemen of the highest rank and character, in order that it should be laid out in the purchase of estates for the benefit of the Marquis and Marchioness of Hastings and their posterity, met with his entire approbation. By that resolution, the trustees, with the consent of the court of directors, were to lay out the money in the most beneficial manner, and nothing he conceived could be more respectful to the noble marquis than this mode of disposing of any sum with which the munificence of the Company might reward his acknowledged services. The other mode proposed no intermediate hand by which the bounty of the Company was to be disposed of, it contained nothing to solace the feelings of the man, it merely placed £5000 a year at the disposal of the court of directors, to be doled out to the marquis or the marchioness, or their children, or to all three, just as the executive body thought fit, not as suggested by men of high rank acquainted with the private feelings of the noble marquis. He would put it to gentlemen on both sides of the bar, whether it was not more proper, more decorous, and more grateful, to place the grant at the disposal of men with whom the noble marquis could consult, and to whom he probably had unbosomed himself; men to whom he had made known every private wish and circumstance of his life? Was it not better that the noble marquis should not be called on to approach the court of directors, which was a fluctuating body, one set of men in office on the 1st of the month, and another on the 16th? Would it be proper that the noble marquis should state to them all the circumstances of his situation? Would it be right that he should be called on to inform them how much he wished to be settled on his wife, and what portion he was desirous should be allotted to his children? Surely the business would be much better settled if it were left to the noble marquis and those trustees, whom he believed the Marchioness of Hastings had named, before she left England, as the intimate friends of her husband and family. The resolution, however, which had been subsequently adopted deviated entirely from this principle, and

placed the Marquis of Hastings and his family in the hands of the court of directors. Englishmen would be Englishmen still; and however they might attempt to smooth over and gloss such a proceeding, it would be felt, if trustees were not appointed, that the Marquis of Hastings was to receive the reward which the Company had been pleased to bestow on him, from the hands of the directors, and from them only, under such circumstances, and in such a way as the gentlemen behind the bar in their executive capacity might please to sanction. The noble marquis had carried them successfully and triumphantly to the conclusion of two glorious wars; so it was stated, and no one could controvert the fact, in the resolution of the court of directors. If he were the man who deserved such flattering mention to be made of him, he deserved also that whatever reward was granted to him should be given in that way which would be most soothing to his feelings, in that way most acceptable to his family and most agreeable to himself. It was his intention to submit to the court a motion, of which he would give a more formal notice in writing, that in his opinion would fully meet all the circumstances of the case, and obviate every difficulty and objection. He begged the court to understand that, meet when they might, if they were called on to discuss a motion for rewarding the signal services of the Marquis of Hastings, it was his intention to offer the resolution to which he had adverted; first, because it was most respectful to the noble marquis; next, because it would be most acceptable to his family; and lastly, if they could descend to money calculations in a case of this kind, because it was less in amount than that which they had heard proposed. If the sum were placed in the hands of trustees of high rank and character in society, gentlemen in habits of intimacy with the noble marquis, and with whom he might freely commune, no feeling of delicacy, no principle of propriety would be violated. The noble marquis might say, looking to the two resolutions, "this, though it embraces a less sum, does not please me, because it is connected with a degrading condition; the other, though ten thousand times less, is what I will accept. It is honorable in you to grant it thus, and therefore it cannot be improper for me to receive." He (Mr. Jackson) would support this proposition on other grounds; he would support it because he regarded it as soundly legal and politically wise. Would the grant of a pension for twenty years, to which the directors had agreed, have been legal? He did not think it would. How could they, to whom the law gave but an interest for

fifteen years longer, deal out a pension for twenty years? Under the affectation of giving the noble marquis a pension for twenty years, they, in fact, did no more than confer it on him for fifteen or sixteen. He perfectly agreed with the hon. director (Mr. Rossanquet) that the Company had high territorial claims. It was not, however, necessary to go into that discussion now. They were not called on to enter into a consideration of the distinction between rights obtained by cession, by purchase, or by conquest, and all those sublime questions, which, by and by, would force themselves on their minds. Surely they could not think of making it obligatory on government to proceed to the examination of those nice and difficult points, by entertaining the resolution of the court of directors. The act of 1793 merely confirmed all the rights granted by preceding statutes. The great charter of 1784, better known as Mr. Pitt's bill, altered considerably the constitution of the Company. It would be remembered, however, by those who read the transactions of that day, that the question of territorial rights was one of those points the discussion of which by common consent was avoided. The act provided, that nothing contained in it should affect the claims of the government on the one side, or of the Company on the other. The charter of 1793 was couched in almost the same terms, but the court ought particularly to recollect the preamble of that act, and what by it the Company were declared to be. In the act of the 53d of the King, which was passed a short time since, the legislature thought proper to speak of the claims of the Company in language essentially different from that which had previously been employed. Government succeeded in introducing a line and a half in the preamble to that act, fraught with the most important meaning. After reciting the act of the 33d of the king, it went on to say, not that the Company's territorial possessions in India should continue under their sway, "without prejudice to the claims of government, on the one side, or of the Company on the other," but "without prejudice to the undoubted sovereignty of the crown of the United Kingdom of Great Britain and Ireland, in and over the same, or to any claim of the said United Company to any rights," &c. This should teach them to tread on this tender ground with fear and caution; it should point out to gentlemen the propriety of not wantonly introducing the discussion of so important a question. When they added to this what was said by Lord Castlereagh, who declared what government would do, under certain circumstances, without waiting for the end of the charter, and when the

recollected the sentiments expressed by the Earl of Buckinghamshire, throughout the whole of their last negotiation with government, he could not but deprecate any motion being brought before them, involving propositions that could not be met and argued, without going into abstract questions which both the government and Company had for years thought it wise and prudent to keep in the background. Nothing could be more simple, nothing more absurd, no act of *felo de se* could be more complete, than the unnecessarily dragging into light those difficult questions which government had studiously avoided. From whatever side of the bar the next resolution came, he trusted it would be worthy of the court. He certainly would not like it the less if it came, properly matured, from the executive body, but he trusted that it would not involve those high abstract and legal political propositions to which he had adverted, and the introduction of which he most sincerely deprecated. For the purpose of giving time for a due consideration of the subject, and to allow proper notice to be promulgated to the proprietors of the next resolution which would be submitted to them, relative to the noble Marquis, he should now move,

"That this court, at its rising, do adjourn for fourteen days."

The *Chairman*—"Fourteen days hence will be the day appointed for the election of six directors."

Mr. R. Jackson said, perhaps it would be as well to move that the consideration of the question be farther adjourned. This would impose the necessity of calling another special court, to consider of any proposition the court of directors might offer, which might be done at the distance of three or four weeks.

The *Chairman* said, in justice to the importance of the question, and out of respect to the honourable individual to whom the proceeding related, it would not be proper to adjourn indefinitely. A definite period, that day four weeks for instance, ought to be mentioned.

Mr. D. Kinnaid said, when his learned friend presented himself to the court, for the purpose of offering his reasons for proposing an adjournment, he fully expected to derive all the benefit which he usually received from his well known talents. Although his learned friend travelled out of the record, and expatiated on extraneous points, still he expected that he would have ultimately stated his reasons for wishing the court to adjourn, and also have explained to the proprietors what it was he meant to propose. He (Mr. Kinnaid) had supposed that his learned friend intended to move a specific proposition. If that were the case he might have taken the present moment, which

was the most favorable opportunity, for handing up to the chair whatever proposition he pleased: that in his opinion would have been the proper mode of proceeding. If his learned friend wished to have gained a victory over the court of directors, he would have seized the present opportunity, and handed up his resolution to the chair.

Mr. R. Jackson said, he had already stated that he meant to move the first proposition made to the court of directors, which the proprietors had heard read as an amendment, when a proper period arrived. That proposition was couched in these terms. "That this court, adverting to the repeated unanimous votes of thanks to the most noble the Marquis of Hastings, at the close of two glorious and successful wars, as they appear on the records of the East-India Company, and being deeply impressed with a high sense of the merits and services of that distinguished nobleman, and of the unwearied assiduity with which he has devoted himself to the attainment of a comprehensive knowledge of the Company's affairs, resolve that, as a testimony of the grateful sense entertained by the East-India Company of services and conduct so highly meritorious, the sum of £60,000 be granted in trust to the right hon. Charles Hope, lord president, the right hon. Charles Boyle, the right hon. David Cathcart, Lord Galloway, and J. W. Adam, Esq. to be by them laid out in the purchase of estates in any part of the united kingdom, subject to such limitations and provisions as the court of directors may think necessary, for the benefit of the most noble the Marquis of Hastings, the Marchioness his wife, and their children."

Mr. D. Kinnaird said, the explanation of his learned friend was not satisfactory: explanation was in fact still wanting. If he understood his learned friend rightly, he meant to propose the resolution which he had read as an amendment, no matter what the court of directors might think proper to submit to the proprietors for their approbation. "Bring forward whatever proposition you may," said he, "still I mean to propose this an amendment." Nothing, in his opinion, could be more perfectly absurd. The court of directors might propose the same resolution, or something so like it, as to render it wholly unnecessary to move such an amendment. He wished to know whether his learned friend meant distinctly to move the proposition which he had read? If he did, he was at a loss to conceive why he should not give notice at once. They would then know, before they came to the court, what it was intended to do; and the proprietors, having made up their minds on the subject, could at once come to the vote.

But his learned friend's plan was a most extraordinary one. He said, "let us wait till the court of directors have made up their minds, and then to whatever they propose I will move this resolution as an amendment." This being the case, he knew not what specific ground they were to take. It was extremely necessary that they should be apprised of the particular reason for which the court was to adjourn. He begged, in this early stage of the business, to enter a solemn protest, in the name of the Marquis of Hastings, against language and topics discreditable to the honour of that court, and in his opinion extremely disagreeable to the noble personage alluded to. The remunerating public services was a high and a very important act; and if it were not performed so as to confer honour on the proprietors, as well as on the Marquis of Hastings, it had better be left alone. They ought, in considering the pecuniary part of this proposition, to proceed with the utmost delicacy. It happened that by a grant of money only they had it in their power to mark their grateful respect for the conduct and character of the Marquis of Hastings. Whatever private feelings they might entertain, if they wished to give satisfaction to the noble Marquis, as well as to confer honour on his name, they would not introduce the private circumstances of his family before the proprietors; private conversations and private circumstances relative to the noble Marquis's family should never be made the subject of discussion in that court. In the name of the Marquis of Hastings he protested against such a proceeding: he knew not with whom the noble Marquis might have communicated, he knew not any part of his family, but he strongly protested against arguments founded on confidential disclosures. He meant not to cast a reflection on any person, but he earnestly hoped, whatever number of discussions might hereafter take place on this subject, however private feelings might operate on the minds of individuals, that they would not bear a word more relative to the circumstances of the Marquis of Hastings, whether the grant was voted to him or not. He would here take the liberty of stating incidentally why he preferred the grant of a sum of money, under any circumstances, to the grant of a pension. He considered the grant of a sum of money in the light of a public testimony to an individual; and if it were to be fleeting, and not permanent, it lost one half of its value in the eyes of those who gave and those who received it. It must, in fact, be deprived of much of its value, since it lost all the advantage derivable from permanent example. If he granted a reward, he would make it permanent, it should descend to his

posterity of the Marquis of Hastings as well as benefit the existing family: for this sole and simple reason he preferred the grant of a sum of money to the grant of a pension; and so very important did he consider the distinction, that in his opinion it would be unbecoming in the Company to consider whether it would be more or less convenient to make the grant of a specific sum instead of voting a pension. He stated his reason for preferring a grant, because the subject had been touched upon by his learned friend. He had only one word farther to say, and that was relative to the legal opinion that had been laid before them. Now he thought it had occurred to every gentleman, that if in a private transaction any one of them was desirous to receive a compensation, and the person with whom he was treating said, "I will either give you a sum of money down, or an income equivalent to it for a certain number of years," the person seeking the remuneration would be very apt to enquire into the means which he who proposed the alternative possessed to substantiate his promise. For his own part, if he found that they were not tangible, he would say, "aye, it is very true that you have made a proposition to pay me so much per annum for twenty years," but I happen to know that all means of meeting the demand may cease after sixteen years have expired: that is, you give me a pension for sixteen years certain, and beyond that a contingency of five." In looking at this case they were to take the whole of the circumstances into consideration; and in his opinion, if they made a grant for twenty years they might with equal propriety extend it to fifty; having once ventured beyond the period of fifteen years, there was no boundary at which they were called on to stop. They had as much right to grant a pension for a century as for twenty years. There being two methods of effecting the same object, he called upon the court to pursue that which was perfectly sure, and to give up a course which, to say the least of it, was doubtful.

Mr. Elphinstone said, it was necessary, in consequence of some observations which the hon. proprietor (Mr. Kinnaird) had made, to state to the court why a proposition for a sum of money had been deemed preferable by some of the executive body to a resolution for a pension which was to expire at a certain period. In the first place, it was thought, as the grant was intended to mark the high sense the Company entertained of the services performed by the noble marquis, and at the same time to prove the liberal feelings of the Company, that whatever was voted should remain permanently in the family of the noble marquis. He had also learned from

the marchioness herself that a sum of money would be preferred, and he thought he was perfectly correct in stating the fact to his colleagues. He did not conceive that there was any thing amiss, when he learned this circumstance, in stating it to those, who, in the first instance, were to decide upon the case. The grant should meet with his most hearty concurrence.

Mr. D. Kinnaird said, the hon. and respected director had misunderstood him. He had no objection whatever that the circumstances alluded to should be communicated to each other, but he deprecated their introduction when the court assembled to do a solemn act.

Mr. Lounes said, that notwithstanding the high opinion he entertained of the talent which distinguished his learned and eloquent friend, whose sentiments on many subjects he greatly admired, he felt himself obliged on this occasion to differ totally from him, because he never would vote for any sum of money given in the lump. He would never consent to do that, but he would vote for an annual sum, which would have the effect of inducing the individual thus rewarded to support the rights and interests of the Company out of that house. If, for instance, any motion of an adverse nature were made in parliament—(*Cries of order*)—if he differed in opinion from others, he surely had a right to do so. He was willing to do every thing that could serve the family of the noble marquis; but he would still always adhere to this principle, not to give away a large sum of money, and thus render the person to whom it was granted independent of the Company. If they wanted a precedent for conferring a pension, it could easily be found: a sum of £5000 a year had been voted to the Marquis Wellesley; surely, then, the highest honour they could confer on the Marquis of Hastings was to place him on the Company's books along with that great character whom he had mentioned. Here there was a clear precedent, and they like lawyers ought to be bound by it. Why should there exist all those differences of opinion on this occasion, when a plain course was marked out for them? Was he the Marquis of Hastings, the highest compliment that could be paid to him, would be to act towards him as they had acted towards the illustrious Wellesley. He should be most happy to be placed on a pedestal along with that great man. The executive body seemed, when they agreed to this resolution, to have forgotten their obligations: they went beyond the Company's charter; they proposed a grant for twenty years when the charter had only fifteen years to run; but there were certainly three years' grant, as there were three days' grace to a bill, and then the

noble marquis might reckon on at least eighteen years. They were told, in the one case, that they could not grant a pension of £5000 for twenty years, because the charter extended only to fifteen, but that they were authorized to grant £60,000, which was about £3000 less. If the former proposition were true, he contended that the latter must be false. The same reasoning applied to both cases; what was good for the goose was good for the gander. If they could not confer a pension for twenty years, because their charter would expire in fifteen, and it was therefore proposed to vote a lumping sum of money, they ought to accommodate that lumping sum to the number of years to which the charter would extend. He agreed with the hon. director (Mr. Bosanquet) that the Company had great territorial rights; they all knew that the Company held a lease of them, but those who held that lease had not a right to say what would be the state of their property at the end of the stipulated period. He was extremely surprised when his learned friend suffered the proposition to escape him; it only shewed that, in the ardent zeal to carry a particular measure, a man did not see quite so clearly as he was accustomed to do under other circumstances. He was convinced that they had no right to go beyond the period at which their charter would expire; as Shylock said, they must stick to their bond. Now his learned friend in one case called on them to adhere to their bond, but when he called for a grant of a lumping sum of money, he threw the bond on the ground, and trampled on it. He begged the court to consider the mode of conferring this very proper act of liberality on the Marquis of Hastings. One reason why he would give every thing in his power to the noble marquis's family was, because that illustrious nobleman acted himself with the greatest liberality on every occasion, not only in this kingdom, but in India; he set the noblest example of generosity to persons of high rank, for he believed the noble marquis had given up every shilling of the prize money to which he was entitled, therefore he would do every thing in his power to prove how much he admired the character of the noble marquis. But, notwithstanding the high esteem he felt for the Marquis of Hastings, he would not act towards him in a way which he thought would be disrespectful to the Marquis Wellesley. In his opinion they could not take a more effectual method to shew disrespect to the Marquis Wellesley, than by treating the Marquis of Hastings in a different manner. Whenever the subject came forward he would advocate the granting a pension of about a year to the Marquis of Hastings as wrong as the charter lasted, but

he would not consent to a vote of £60,000. He would make the grant a sort of wooden bridge, which rose and fell with the tide. Persons who received their bounty ought to partake as well of their adversity as of their prosperity; and he was sure the best compliment they could pay them, was to interweave their interests with those of the Company. He felt convinced that the Company would be answered in the affirmative, if they said to the Marquis of Hastings, "you have shewn so much disinterested zeal in the course of your administration, that we are conscious you will be perfectly satisfied if rewarded in this way." Feeling so much interest for the welfare of both the noble lords whom he had mentioned, he could not help speaking warmly. If there ever were two servants, civil or military, that deserved the thanks of the Company and the highest reward they could grant, they were the noble Marquesses Wellesley and Hastings: they were a host in themselves; to them the Company owed the security of their territorial possessions. Their empire was consolidated and its safety ensured by a Wellesley and a Hastings: therefore he hoped the proprietors would not be too hasty in what they did this day. Deliberation on such a subject would be respectful to the noble marquis: the more the proprietors examined his conduct in India the more reason would they find to admire and applaud it; they need not, therefore, fear to investigate his actions. He had, in every point of view, exercised his power with wisdom and moderation; he was, indeed, a sun without spot or blemish. The two noble lords were like two suns, which shone at different times with different degrees of lustre; the Marquis Wellesley exhibited the brilliancy of the sun at noon day, while the Marquis of Hastings shone with the calm and serene lustre of the moon. (*A burst of laughter, which continued for several seconds, here interrupted Mr. Lowndes.*) Gentlemen might laugh, but he would maintain that his simile was a good one. As the moon borrowed her lustre from the sun, so did the Marquis of Hastings borrow much of his splendour from the Marquis Wellesley whose political principles he closely copied. His figure was not, therefore, a bad one, for the moon of the Marquis of Hastings (notwithstanding that noble lord's talents and good sense) would not have had any light at all if it had not been for the sun of the Marquis Wellesley, which shone so resplendently in the political firmament of India. The pedestal on which the Company stood was no other than a Wellesley pedestal.

Mr. S. Dixon rose to order. The proprietors had certainly spent the full share of the time and attention of the

court; he hoped he would now suffer other gentlemen to deliver their sentiments.

Mr. Lowndes said, the hon. proprietor had so often and so bitterly called him to order, that he almost supposed he was descended from Lot's wife, who was turned into a pillar of salt! The hon. proprietor had moved for so many years with clock-work regularity, that it was quite impossible to get him out of a jog-trot. He had a regard for the hon. proprietor, for he was a worthy man; but he was not therefore to file down his (Mr. Lowndes's) mind to the jog-trot pace in which he was accustomed to go himself. He spoke there as a proprietor of East-India stock, and his manner boasted at least of the honest warmth of an Englishman. When he was out of order the hon. proprietor had a right to correct him; but in what he said this day, he spoke to the points of the case. One of those points was, that whatever they did, they should not forget that they had other servants who had done their duty nobly; on that ground, when the subject came forward, he would maintain, that if they departed from the rule adopted in the case of the Marquis Wellesley, on whom a pension of £5000 a year was conferred, they would be acting disrespectfully towards him. Their charter had been renewed since that grant, which was again voted to the noble marquis; but he did not hear on that occasion those cold calculations which had now been introduced. He did not hear any one say, "you are granting too much, you are granting a pension for twenty years when there are only fifteen years of your charter unexpired." Such remarks were not made on that occasion; and if the court did go a year or two beyond the regular bounds, it would shew that description of zeal which he trusted the members of the two houses of parliament would not consider blameable. He hoped that the respect which the Marquis of Hastings had inspired was not confined to the India House, but was felt by the two houses of Lords and Commons; and that, even if they went beyond their charter for a year or two, the deficiency would be made good out of the public funds of the country. He would say little more on the subject, but he trusted that what he had said would make a deep impression on the minds of the proprietors. (*A laugh.*) He was frequently put down in that court, but he hoped, when the directors discussed all that occurred there in their private room, that they would not entirely forget what he said, that they would not put him on the shelf, if he might use that expression. If some did go out of the jog-trot way a little now and then, he might perhaps be thinking of something that was worthy

of notice, something that ought to be taken into consideration. He should not at all be surprised if one of the directors were, when the court had broken up, to say to his colleagues, "why to be sure Mr. Lowndes does not always speak to the point, but on this occasion he spoke so much to the purpose that we must really attend to it." What he had this day stated was worthy of consideration; it came from an honest head, a warm heart, and a lively imagination. There was, indeed, something in the nature of gratitude that cleared the mind, as the sun did the atmosphere. This discussion might not be pleasing to some gentlemen; but why should not the directors hear what their constituents had to say, as well as the members of the House of Commons listened to those who sent them to parliament. What did every member of parliament do when great measures were brought forward? He wrote to his constituents or consulted with them, and in many cases he followed their advice. He thought he had answered the observations of his learned friend in so complete a manner, that he would not be able to support them: an epigram always concluded with a sting in its tail, and he wished his speech to finish in the same way. His learned friend, though a man of talent and eloquence, had not made a proper calculation: he disapproved of the grant of £5000 a year for twenty years, but the sum of £60,000, which he meant to propose, was calculated on the same principle. To have been consistent, the calculation should have been made with a reference only to the fifteen years which the charter had to run; if that were done, they find that it would amount to a sum considerably short of £60,000. With this sting he now begged leave to conclude his speech.

Mr. Gahan said, the hon. proprietor having concluded, he begged leave to occupy the attention of the court for a few minutes. The manner in which the court of directors had this day conducted themselves appeared to him to be most extraordinary; he did not think they stood before the court with that high character which they ought always to maintain. Would it be believed that the executive body of the Company, who should be conversant with the full extent of their power up to the present period, who should be able to view it on the moment in all its various bearings, would it be credited that, until last night, they did not know whether they were proceeding legally or not. (*No! no! from the Chairmen.*) He thanked the hon. chairman for correcting him; and if he were wrong, he was sorry for it. The impression he received from the paper which he then read was this: that the court of directors

had come to this understanding, that the most proper way of shewing the high sense they entertained of the noble marquis's meritorious services was to give him a pension of £5000 a year for twenty years, and it was only late last night that the president of the board of control transmitted to the executive body the opinion of the Attorney and Solicitor General, expressly stating that it was not in their power to make a grant for that period, because their power in India, according to the terms of their charter, would not last so long. They, the twenty-four directors, who were supposed to be acquainted with the nature and extent of the Company's power, its commencement, and its duration, did not, it appeared, till late last night, know that they could not grant a pension for twenty years; and more even than that, though they had a legal adviser, who ought to give an opinion on cases that admitted of doubt, he appeared not to have been consulted. The learned gentleman below him (Mr. Jackson) said, that the proposition which had been stated to the court involved great, important, and delicate questions; questions which had not been agitated when the charter was renewed. All he could state was this, that every act of parliament he had seen relative to their Indian government, and he had examined them all professionally, from the statute of the 7th of Geo. III. down to the present moment, specifically told the Company, and clearly pointed out to the court of directors, for how long a period their sovereignty was continued. In the 13th, the 21st, and the 33d of the king, the words were, in effect, these, "Be it farther enacted, that the right to all the territorial acquisitions, under the government of the Company, shall remain so long as their exclusive trade lasts, or till the Speaker of the House of Commons gave the Company notice that government would not renew their lease." If, then, their power ceased with the expiration of the period to which their exclusive trade was confined, how could they make a grant embracing a term to which their power did not extend, and during which they might receive notice from the Speaker of the House of Commons that their charter would not be renewed? The 53d of the king stated, that the sovereignty of the crown over the British possessions in India was indisputable, and that the Company's territorial rights were co-extensive with their trading rights; he was therefore at a loss to conceive how the court of directors could decide that an annual charge should be made on the territorial revenues of India, so continued for twenty years, when they must or ought to have known, by reading the acts of parliament, that they could not legally

make a grant for a longer period than fifteen years. They certainly did not appear before the proprietors as possessing that watchful, vigilant, and acute understanding of the extent of the Company's rights which they ought to display. He did not mean to say that they were not anxious and zealous to promote the interests of the Company, but they had committed an oversight in this instance, for which, to say the least on the subject, they could not be commended. Here he humbly called the attention of the court to another legal point in this question, which did not appear to have struck the acute mind of the president of the board of control, although he was confessedly one of the ablest men in the country. The executive body might meet the next court, provided with a resolution modified and shaped so as to come within the time to which the charter would be limited, if the Speaker gave notice, after April 1831, that it would not be renewed. Suppose this resolution set forth that £60,000 should be granted to the noble marquis, to be paid out of the territorial revenues of India; now he submitted to those gentlemen about him who were lawyers, and to the court of directors, whether the Company could make such a grant? He did not say that they could not, but it was matter of serious consideration whether they could; whether it was in their power to place such a charge on the territorial revenue. If they looked to the act of parliament, they would see the specific appropriation of those revenues to particular purposes. So particular and so precise were the legislature, that they declared, "these revenues shall be disposed of in such and such a way, and in no other, any act or acts of parliament, usage, or regulation, now existing to the contrary notwithstanding." What were the uses to which the territorial revenues were thus strictly to be appropriated? First, for raising and maintaining the Company's troops, native and European: that provision surely did not include a grant of £60,000 to the Marquis of Hastings. Second, in payment of the interest of the Indian debt: did the granting £60,000 to the noble marquis liquidate any part of that interest? Third, for the support of the Company's civil and commercial establishments: then, he asked, did the court of directors mean to bring the grant under this third provision? Did they imagine that the granting a pension of £5000 a year, or the giving £60,000 to the Marquis of Hastings out of the territorial revenue, would be embraced under the third head of appropriation, considering the noble marquis as part of the civil establishment of Calcutta? He would call the attention of the court more particularly

ticularly to this provision of the clause. The third appropriation was not for the civil and commercial servants of the Company generally, but expressly for the payment of civil and commercial contingencies of the Company, "at their settlements *there*," in the East-Indies. If the Marquis of Hastings did not remain there, if he chose to come to Donington-park in Leicestershire, could he then receive £5000 per annum under this third clause of appropriation, out of the territorial revenues? But suppose his family were included in the grant; suppose the noble marquis died, and the pension was continued to the amiable marchioness and her charming family, could it be said that she and her family formed any part of the civil establishment at Calcutta? No lawyer, no individual whatsoever, could contend that the Marchioness of Hastings could be recognised as forming a part of that establishment. The fourth appropriation was specifically for the payment of the territorial debt or bond debt, and then came the surplus, to be applied as is hereinafter directed. Let gentlemen examine this appropriation, and say whether it could be contended that the pension to the Marquis of Hastings came within its meaning? In speaking on this, and indeed on every subject, he had an earnestness of manner, which he hoped would not be misconstrued; his mind was perfectly cool and calm, his sentiments were not dictated by angry feeling: he was anxious to state this, for fear the warmth of his expressions might countenance an inference that he meant to attack the court of directors. He submitted to the proprietors, that what he had stated was matter of grave consideration, although it had not occurred to the president of the board of commissioners, and consequently was not laid before the attorney and solicitor general. He did not mean to assert that he was right, but he threw out his view of the question as worthy of mature consideration. If therefore the court of directors, at the next meeting, intended to come forward with a modified proposition, giving to the noble marquis a certain provision to be chargeable on the territorial revenues, it would be well if, in the first instance, they asked the opinion of their standing counsel, or of the attorney and solicitor general, whether they could legally do so? If they could not, it would then be their duty to seek for other means. He would now give another reason which induced him to think that they could not derive this pension from the specific source to which he had adverted, the territorial revenues. The 33d of the king, the last act, or charter, as it was called, did not, they all knew, repeal any of the former acts of

parliament, except where it distinctly declared the fact, or that its provisions were repugnant to the enactments of preceding statutes. Look then to what the 33d of the king stated, with respect to granting pensions, and which in truth furnished an additional argument in proving how long the duration of the right to the territorial revenue of India remained with the Company. The 33d of the king expressly said, "and whereas, for the better protection of the funds of the Company, during the farther term granted to them in said exclusive trade, and to prevent them from being burdened with any improper charges, it is expedient that the said Company be placed under certain limitations with respect to the granting of pensions." This he contended went again to prove, that pensions granted by the Company could not last longer than their exclusive trade; because it clearly said, that this provision was made to protect the funds of the Company while the exclusive trade existed; it was *expressio unica*, and amounted to this: "we, the legislature, will protect those funds while you, the Company, have them, that is, while an exclusive trade is yours; for when you cease to possess an exclusive trade, you cease to have any funds." It was evident from this that the Company had not the power to grant pensions out of any funds, except while the exclusive trade was in their hands. If they could not make a grant of this description from the territorial revenues, what other sources had they to look to? If they took their domestic funds, they could not, even then, according to the act of parliament, continue the payment beyond the period when they ceased to possess the exclusive trade; pensions must therefore be charged under the specific provisions of the act of parliament, "during the continuance of the exclusive trade, and no longer." The Company were placed in no difficulty by this; they could grant the pension, if the Almighty spared the noble marquis so long, up to the time when their charter would expire. If government did not choose to renew that charter, they were not responsible because an act of the legislature prevented them from doing that which they wished to do; but, on the other hand, if the charter were renewed, the pension might also be granted for a longer period of time. He conceived it was proper for him to call the attention of the court to those different points, before the question of adjournment was put from the chair. He submitted three queries to the consideration of their legal adviser: 1st, whether the pension and grant could be charged on the territorial revenue; 2d, whether it could be derived from other funds; and 3d, whether it could be granted beyond the period of the

duration of the Company's right to the exclusive trade. The matter would then resolve itself into a question of terms; namely, whether the grant should be a round sum of money, or charged by way of annuity. One observation he begged leave to make, in answer to what had fallen from the hon. proprietor (Mr. Kincaid) who deprecated the discussion of private circumstances in a case like the present. No gentlemen could have a disposition to enter into the minute closet business of a family; but he differed considerably from the hon. proprietor when he wished to exclude all considerations of a private nature. Where a discussion arose, having the benefit of parties in view, surely it could not be considered improper if their circumstances were mentioned. In doing this, he meant not to disregard female delicacy or infant delicacy, but to treat the subject with a view to make that species of provision for the children of the Marchioness of Hastings, which the death of her husband might render a matter of very great importance. How was it possible, then, that they could exclude from the discussion all consideration of the Marchioness of Hastings and her family? He admitted, that it was ground on which they ought to touch with the utmost delicacy; but it was, notwithstanding, ground which they must go over, which they could not pass by altogether. On another point he also disagreed from the hon. proprietor; he alluded to what the hon. proprietor had said with respect to the expediency of granting a sum of money or a pension. The hon. proprietor argued, that it was more consonant with the dignity of the Company and of the individual, that it came nearer the idea he entertained of a high testimony of gratitude for great public services, to give the noble marquis a sum of money at once, instead of making annual payments through the hands of the directors. He need only refer the hon. proprietor to the usual mode of making parliamentary grants under similar circumstances, to prove that his opinion was erroneous. Let the court look to the reward conferred on the first naval officer of the day, Lord Exmouth; there was surely no disparagement to his character in the manner in which parliament expressed their sense of his services, namely, by pension. If they turned their eyes towards those generals who had signalized themselves in Spain, they would find that they were not rewarded by grants of specific sums, but by pension: Lord Lynedoch, and several others, received pensions for life. Parliament did not consider it more dignified in them, or more pleasing to the feelings of those who were favoured, to bestow upon them a sum of money instead of a pension. He contended, that

when he arrived in that court, he felt considerable pleasure. It was true he lamented the view which the court of directors had taken of this subject, and the course they had adopted, but he was much delighted to hear the opinion of the attorney and solicitor-general, pointing out the grant of a pension for twenty years as illegal. He had before formed the same opinion; he mentioned it to several of his friends, but not one of them agreed with him; they said the same thing had been done before, and precedents made law: but every lawyer knew that the contrary was the fact; it was not the precedent that made the law, but the law that created the precedent. Let not the court of directors proceed on this erroneous principle, and argue, that because they had done wrong, they were authorised to go on in the same course. He had no doubt whatever as to the illegality of the pension that had been proposed by the court of directors, and he begged leave to put it to the executive body, and to the honourable court, whether a farther inquiry should not be made with respect to the power of the Company to grant a pension derived from their territorial revenues. It would be well to consider whether that source was not so specifically surrounded by the provisions of the act of parliament, as to render it illegal to charge a grant of this description on it. For his own part, notwithstanding all the good intentions of the executive body and of the proprietors, he much doubted whether they possessed the power of carrying them into effect.

Mr. S. Dixon said, he would only take up the time of the court for a minute or two. He was not friendly to a grant for twenty years, or for the life of the individual, because the benefit which the family derived was confined to that specific period: his own opinion was, that such a grant should be voted as had been conferred on Marlborough, Nelson, and the Duke of Wellington. He wished that whatever was given to the Marquis of Hastings should benefit him, his immediate family and their posterity; therefore it was that he approved of the grant of £60,000, if the Company's finances could afford it, in preference to a pension. He wished their liberality to be secured to the noble Marquis and his posterity, as an everlasting mark of their gratitude.

Sir W. Burroughs said he differed entirely from the hon. proprietor (Mr. Gahagan) who entertained a doubt whether the court had the power to grant to the Marquis of Hastings that reward which his services merited. He was most happy, however, to observe, that not the least difference of opinion existed with respect to the justice of bestowing on the noble Marquis the only mark of distinction

seemed to be, whether it was desirable to reward his services in one form or in another. With respect to the construction put on the statute by the hon. proprietor who had recently spoken, he doubted very much whether it was well founded; because, according to that construction, it was utterly incompetent for the Company to grant, out of their territorial revenue, any remuneration whatsoever for services, however meritorious, however beneficial to their interests. If they could not reward the Marquis of Hastings out of this fund, he doubted whether they were competent to grant, here or in India, any sum, however small, as a remuneration for services performed by those who were employed under their government. But looking to the clause itself, this construction appeared to be too large. The present statute, the 53d of his Majesty, provided, that as long as the territorial revenue continued in the East-India Company, it should be appropriated in the manner therein stated: 1st, in maintaining the Company's military forces; 2d, in payment of the interest of the Indian debt; 3d, in defraying the expences of the civil and commercial establishments in India; and then follows these words, describing the fourth appropriation: "towards the liquidation of the territorial debt of the said Company, or of the bond debts at home, or to such other purposes, subject to the provision hereinafter made, as the said court of directors, with the approbation of the board of commissioners, shall from time to time direct." Now the only subsequent provision was in the 60th clause, which enacted, "that if the debts of the Company in India, after they had been reduced to £10,000,000, should be again increased beyond that amount, or if the bond debt in Great Britain, after it had been reduced at £3,000,000, should be again increased, then the surplus revenue should be applied to the gradual reduction of such new debts." But the clause to which he had previously referred allowed the court of directors to appropriate, subject to the approbation of the board of control, a portion of the territorial revenues. With the concurrence, therefore, of the board, the grant might be made; and he should have much regretted the circumstance, if parliament in that act had omitted such a provision. For nearly half a century they had rewarded their servants, who had laboured earnestly and successfully to support their interests, with a liberality worthy of their own honourable character; but not to a degree exceeding the value of the services performed. He should indeed be grieved, if by this act the Company were prevented from rewarding the past services of some,

and stimulating others to pursue the same honourable career. He had passed much time in India; and, from the situation he had the honour to hold, had considered attentively the statutes enacted for the government of the Company's affairs; and he for one was clearly of opinion, that the court of proprietors had the power to make this grant. He did not say that it would not be cautious and proper to ask those questions of the law officers which the hon. proprietor had propounded, but in his own mind he had no doubt but that the court possessed this right. As he was on his legs, he would venture to suggest to his hon. friend (Mr. R. Jackson) an alteration in the resolution he meant to support. He conceived that it would not be desirable to limit the grant beyond that line which seemed to be expedient for the support of their own honour and that of the Marquis of Hastings; therefore he should much prefer a communication with the gentlemen appointed to act as trustees, in order that they might state in what way the grant should be laid out, so as to meet as far as possible the wishes of the noble Marquis, instead of laying down in the resolution a specific mode of disposing of it. He would not have it decided that it should be laid out in the purchase of lands or houses, but in such manner as those trustees, in concurrence with the court of directors, might approve. Such a resolution might be framed in fewer terms, and he should be glad to see it so drawn up by the court of directors. They would have the advantage of consulting the law officers before they brought forward any proposition, and therefore it was not only due, as a mark of respect to them, that they should be allowed to originate the proposition, but, from the reason of the thing itself, they ought to be suffered to perfect what they had begun. If the resolution came from another channel, it might militate against some by-law, it might be in opposition to some statute, or perhaps would not meet the idea of the board of control. In the present situation of the business, he entirely concurred in the propriety of an adjournment; and he hoped, when they again met the directors, they would come forward with a grant of a specific sum out of the territorial revenue, to be vested in trustees, for the purpose of being laid out in the manner which such trustees, with the consent and approbation of the court of directors, might conceive most beneficial to the noble Marquis and his family.

Mr. Hume said, as great diversity of opinion appeared to prevail, and as he desired in general to abstain from every one around him, he was anxious to state his view of the subject, though he did not

suppose that he could reconcile the difference which existed. He thought his hon. friend (Mr. Kinnaird) had not acted on this occasion with his usual candour and kindness, when he charged his learned friend (Mr. Jackson) with irregularity of proceeding. Precisely the same course was adopted at the last general court, when an hon. proprietor, who moved the adjournment, stated in courtesy to the proprietors, that on such a day it was his intention to do so and so; and his hon. friend actually approved of the proceeding. His learned friend stated, that he would make a substantive motion when the court assembled again; and he was perfectly correct and right in pursuing that mode, which was adopted at the last general court held on that very day week. He must have misunderstood his learned friend, when he mentioned, with so much unmerited severity, the introduction of private family matters. It certainly was not pleasant to do it, nor would he do it unnecessarily, but when the resolution which was about to be proposed did allude to them, how was it possible in arguing the question to keep clear of them. He would say, with his learned friend, that the private circumstances of a family were of great importance, when a motion of this description was brought forward; and if gentlemen themselves did not think so, why was it proposed that the grant should be placed in the hands of trustees? (*Hear, hear!*) He understood that a feeling was excited against his learned friend for manifesting a want of delicacy in mentioning the name of the noble Marchioness in that court; but situated as the family of the Marquis of Hastings was, and anxious as the proprietors were to give the most substantial proofs of their liberality, he was sure they could see nothing unfair or indecorous in taking into consideration both parts of that family, and therefore it could not be said that the name of the Marchioness of Hastings was unnecessarily introduced. With respect to the conduct of his learned friend, there was not an individual in the court who heard him make use of a single expression that bordered on impropriety. Having, as he hoped, shewed that the conduct of his learned friend had not been such as justly subjected him to censure, he now came to the question immediately before the court. He did in his conscience believe, that so far from the mode proposed, that of rewarding the noble Marquis with a pension, being an unworthy one, it was by far the most correct and proper. He could not conceive how it could be derogatory to the court or to the individual, as his hon. friend seemed to think it would, if a pension were granted to the noble Marquis instead of a sum of money.

While his hon. friend (Mr. Kinnaird) was advocating the contrary course, he put down the names of Nelson, Exmouth, Lake, Wellesley, and several other eminent characters, whose services were requited by pensions; indeed, he believed but two instances could be pointed out, those of the Duke of Marlborough and the Duke of Wellington, where sums of money had been granted instead of pension. In every other case, the remuneration was by way of pension; and he would maintain that this court could not perpetuate the remembrance of the noble Marquis's services in a more constitutional manner than by granting him a pension.

Mr. D. Kinnaird said, the grants of parliament, in many instances, were in the form of specific sums of money to be laid out as certain trustees thought proper; in Lord Nelson's case, a sum was specially charged on the consolidated fund for the purchase of an estate and mansion. His hon. friend misunderstood him, if he supposed him to have stated that it would be discreditable to that court to give, or to the noble Marquis to receive, a remuneration by way of pension. He meant to say no such thing; his reason for preferring a sum of money to a pension was this, because the record of their gratitude, if a pension were granted, would be forgotten in twenty years. The family would not enjoy it, and he wished that it should go down to the posterity of the noble Marquis, that they might have an opportunity of pointing to that page of the Company's history, in which the services of their ancestor, and the liberality of the Company, were recorded.

Mr. Hume was as willing as any individual in that court to allow that the Marquis of Hastings deserved a splendid reward, but it was not fair, he thought, to place him on a level with Wellington or Nelson. Those individuals, however, independent of any other grant, received a pension from the country. Grants of specific sums were not always the wisest nor the most honourable; he recollected the grant to Lord Melville, which he considered the most profligate expenditure of money ever sanctioned by that court. He could not accuse himself with having neglected his duty on that occasion; he did all in his power to prevent it, and though he had failed, it was a consolation to him when he reflected that he was not instrumental to the success of the proposition. The examples given of eminent men who had received grants of money, were those of Marlborough, Wellington, and Nelson; but did the Marquis of Hastings ever stand in such a situation as those great men were placed in? If he did not, then the case was not analogous. If they placed the Marquis of Hastings in a dis-

present situation on the records of the Company from that in which many other individuals had been placed, they would not be acting consistently or justly; and he entirely agreed with his hon. friend (Mr. Lowndes), who made many shrewd remarks, that by voting a specific sum of money, and thus peculiarly distinguishing the Marquis of Hastings, they would in effect cast a reflection on the Marquis Wellesley. (*Cries of No.*) By doing so they would be departing, most unnecessarily, from that correct and proper policy which had been acted on by the Company for a very long period, with the exception of the grant voted to the family of the Marquis Cornwallis, after his decease. He was extremely sorry to differ from his hon. friend on this point; but he dissented from his opinion now, and would be obliged to oppose it still more decidedly when the proposition was made. He hoped they would grant, as had been proposed, a pension, whatever its amount might be, in preference to a sum of money; at the same time, he thought that the voting a pension at present was rather premature. If they considered the situation in which the noble marquis stood, as a servant of the Company, they ought to pause before they placed him altogether beyond the controul of the Company.

Mr. Strettlell rose to order. It appeared to him that the debate was out of order altogether, since they were entering into discussions which could not end that day. If the merits, and objects, and comparative deserts of the noble marquis (on whose merits he thought they had already decided) were by this discussion to be brought forward, when they were no longer at liberty to take into consideration the resolution intended to have been proposed for their adoption, there would be no end to the debate; if those topics were to be spun out, and consolidated with every proposition that chance might bring before them, he knew not where they were to stop. He therefore submitted that the hon. proprietor was out of order, in calling the attention of the court to subjects which, on a former day, when the thanks of the proprietors were unanimously voted to Marquis Hastings, had met with ample discussion. If the discussion were permitted, he would feel it necessary, and he thought it would not be lost time, to enter at length into those grounds on which he conceived the merits of the noble marquis rested.

Mr. Hume said, every individual who had heard the hon. proprietor, must agree with him, that he had spoken to any thing but order. He (Mr. Hume) could only suppose that the hon. proprietor had been out of court when the business commenced, and did not know what the proposition related to. If he were aware

that the proprietors had been assembled to consider a resolution of the court of directors, for granting a pension of £5000 a year to the Marquis of Hastings, and that several gentlemen had expressed themselves in favour of a grant of £50,000, he must admit that nothing could be more proper than the consideration of which of the two deserved a preference. Those hon. gentlemen who thought themselves correct in voting a remuneration to the Marquis of Hastings, on the precedent of Marquis Wellesley's case, were mistaken in their conclusion: the pension was granted to the latter nobleman on account of a very large addition which he had made to the territorial revenue of the Company, and his various services as governor-general; the resolution now proposed by the court of directors stated the services of the Marquis of Hastings, as governor-general, as a military man, and they as a commercial company were about to grant him a large remuneration. But in the Marquis Wellesley's case, one of the prominent features was that he had made a great addition to their territorial revenue; it was not, therefore, at all a case in point, but afforded a strong reason for calling on the court to pause before they granted a sum of money. It would be well for them to know, in the first instance, whether the proceedings of the Marquis of Hastings were likely to increase their funds. He meant not to throw out any insinuation against the military conduct, or the general merits and abilities of the noble marquis; but it would not be improper to wait a little, until they could form an estimate of their probable results. When the last proposition relative to the noble marquis was brought forward, namely, when he received the thanks of that court for his success in putting down the Pindarees and Mahrattas, and on a former occasion, when a similar honour was conferred on him for his services in terminating the Nipal war, he (Mr. Hume) said, that before any thing in a pecuniary point of view could be proposed for the noble marquis, it was necessary that every part of his conduct in the high station which he filled should be fairly examined and fully approved of. He was, when he made that observation, perfectly aware that some proposition of the nature of that which the court of directors had agreed to would be laid before the court; and he distinctly stated, that before the Company could with any degree of propriety grant a pension to the noble marquis, they ought to come to some decisive opinion as to the justice, the wisdom, and the energy which he had displayed, as governor-general, as a statesman, and as a military man. The policy which guided his conduct should be ascertained, as well as the success which crowned

ed his efforts. All the resolutions con-
ferring the thanks of the court on the
Marquis Wellesley embraced those differ-
ent points; he did, therefore, contend
on principle, that the court was prema-
ture in agreeing to a grant of money at
the present period. Let the proprietors
examine the papers, giving an account of
the debt which had accrued since the
Marquis of Hastings went to India; they
would find an increase of debt to the
amount of £3,500,000. They were told,
indeed, of immense accessions of terri-
tory; but he begged leave to mention to
that court, and to remind the gentlemen
behind the bar, that there was a chasm
of no less than eighteen months in the
correspondence between the Company and
the noble marquis. The court of direc-
tors might be in the secret; but ought
not the proprietors, who were not in pos-
session of this correspondence, to pause
before they granted a sum of money, con-
trary to former precedence. All he would
say was, that at present such a proceed-
ing was altogether premature; and it
seemed as if those who now urged the
vote, did so under an idea that some un-
toward circumstances might happen in
India, to lessen the noble marquis in
their estimation. (*Cries of No, no!*) If
that were not the case, why was the
grant urged so precipitately? Only five
days' notice was given in the court of di-
rectors, and not a day beyond what the
strict and formal rule required was af-
forded to the court of proprietors. After
the difference of opinion which was
known to exist in the court of directors
on the subject of this grant, which was
carried by a bare majority, he demanded
whether the proprietors would be dis-
posed all at once to concede such a propo-
sition?

The *Chairman* said, that eighteen sig-
natures were appended to the resolution
of the court of directors, and there
would have been nineteen, but that
one gentleman was prevented from at-
tending; therefore, to say that it was car-
ried by a bare majority was not correct.

Mr. *Hume* continued. He was glad to
hear this explanation: he wished very
much to see the paper, but it was not in
the room; therefore, if he had fallen into
error, they only were to blame who had
prevented him from procuring proper in-
formation. He inquired what number of
signatures was affixed to it, and he was
told that there were fourteen: he was
very happy that so many names were
signed to it, but still that did not re-
move his opinion as to the measure being
entirely premature. Perhaps he would
be allowed to notice what had fallen from
two learned gentlemen (Mr. Gahagan
and Mr. W. Harrison) with respect to
the construction of the law. They were

both very positive, and doubtless both very
right, as they argued with the act of par-
liament in their hands: all depended on
the plain and distinct exposition of the
statute. The learned gentleman on his
his right (Mr. Gahagan) was perfectly
correct when he said that it was very im-
portant to bring before the court the ques-
tions which he had started. The statute
certainly appropriated their territorial re-
venues to three specific and particular
objects: if there were any surplus, it
was to be applied towards the liquida-
tion of the territorial debt, of the bond
debt, or to such other purposes as the
court of directors, with the approbation
of the board of control, might from
time to time direct. This being the case,
he thought it was perfectly clear that the
court could grant such pensions, in con-
currence with the board of commissioners,
as they might think proper. But by
papers laid before the House of Commons,
there appeared to be an absolute defi-
ciency of £300,000 and upwards in their
territorial revenue. If there were such a
deficiency, from whence were the Com-
pany to pay this grant? If there were
a surplus, it might be appropriated; but
if a deficiency, they could not pay the
pension. That and every other pension,
even the pension granted to the Marquis
Wellesley, in that event, must stop, if
not provided for from some other source.
He was very much afraid, if there were
a deficiency in their territorial revenue,
that those individuals whose pensions
were chargeable on those funds must
want their money: such, he conceived,
would be the decision of a court of law.
He hoped, very sincerely, that nothing
of the kind might occur; but, at the pre-
sent moment, it was most prudent to
pause; first, because, from the account
he had seen, he did not know whether
the Company's funds could meet any ad-
ditional burden, and secondly, because the
proprietors did not yet know the result of
the noble marquis's policy. What he said
at a former court, when he called on the
proprietors to consider a little more than
the mere military services of the noble
marquis, he said most conscientiously;
and he must express his utter astonish-
ment that the court of directors had ex-
pressly confined themselves, in the resolu-
tion to which they had agreed, to the
military achievements of the noble mar-
quis, had not noticed him as a statesman,
and left his political conduct entirely out
of the question. He submitted to the
court that they would best consult their
own convenience and consistency if they
opposed the premature granting of a pen-
sion, and waited until they knew the re-
sult, in a pecuniary point of view, of the
operations conducted by the noble mar-
quis. When they knew not whether they

had funds in existence to defray a grant of this kind; when they knew not what course the next court might be induced to take; when so many dissimilar opinions were observable in the court; great and serious doubts were created in his mind as to the manner in which they should proceed, and, under all the circumstances, he implored the court to act with the utmost caution and prudence.

Mr. Stretzell said, the right of the court of proprietors to adopt the proposition intended to be brought forward on behalf of the Marquis of Hastings, would be a topic to which the executive body, as well as the high legal authorities of the country, would give the most serious attention, and on which it would be for them to decide. The court of directors would of course modify their proposition so as to meet the solemn opinions that would be given on the question, therefore it would be improper for him to enter into a discussion of the legality of the resolution which they had that day heard read, particularly as a general court would in a short time be held, when every branch of the subject would probably be brought under consideration. With respect to the observation made by the hon. proprietor who had just sat down, as to there being no funds out of which to furnish the sum that was proposed to be granted, all he could say in answer to it was, that if what the hon. proprietor stated was pronounced valid, the gift, under enactments strongly penal, must cease. It could not be productive if no fund existed to meet it; but if a fund did accrue, the Company might apply it, and realize those good intentions which the proprietors bore towards the noble Marquis. With respect to the other point which the hon. proprietor adverted to, namely, the merits of the noble Marquis in the late transactions in India, they were not called on to give an opinion on them, and therefore he begged leave to wave that subject: a day would come when, he was told, he might fully discuss it; and he should be ready, when that day came, to argue it fairly. It was right to observe, in allusion to what had fallen from the hon. proprietor, that it never entered his mind that they were discussing a mere question of value received. He and the court had been told by the hon. proprietor (and he believed every word that he uttered was uttered with the utmost sincerity of soul) that they were premature in coming to a vote of this description, in evincing their gratitude, in taking the earliest opportunity of manifesting that finest feeling of the human heart, an ardent desire to make a return for great benefits. Why did the hon. proprietor declare that this proceeding was premature? because the pro-

prietors knew not, forsooth, whether they had value received. Now with respect to the question which called them together, he could not, reflecting on it, come into that court with the impression that they were to look so nicely to value received, and that the discussion was to be, whether he had or had not added to the Company's wealth? He had done infinitely more; his was a more noble work; he had saved a great empire, he had consolidated that empire by forming his conquests into an integral part of it, and he had thus deprived of the means of annoyance those who aimed a deadly blow at its existence. (*Hear, hear!*) If he had not pursued the course which he adopted, they would have been deprived of the satisfaction which they now enjoyed, the heart-cheering satisfaction of civilizing thirty or forty millions of people, of affording them the means of happiness, of protecting their interests, of securing their welfare. They saw every man, within the pale of the vast dominions which he had conquered, changing his situation from abject slavery to well regulated freedom; they beheld millions of human beings converted from roving savages to civilized subjects. (*Hear, hear!*) That the character who had achieved all this was not to receive the immediate return of a grateful mind; that they were to wait for the development of contingent circumstances, before they paid their debt of gratitude, was a doctrine which he did not admire and could never embrace. There could not be a more proper object, there could not be a fitter subject for grateful reward, than such a character as he had described. If they wanted value received, had they not got it? did not the salvation of that great country depend on the Marq. of Hastings? did he not achieve it? had he not snatched it from the hands of the common enemy? did he not, by this means, preserve the revenues of India from certain loss? Need he state to the court with what wisdom, with what valour, with what prudence, with what vigour of mind, he had acted during the whole of his administration? If he had the abilities to do justice to the noble marquis, he would point out the whole extent of what the Company owed to him: but it might be conveyed in a short sentence; and he would say, that the Company had been saved from certain destruction through the medium of his abilities, through the vigorous energy of his mind, through the constant exertion of his talents, seconded and supported by the glorious efforts of their military power. The efficacy of that power, it should also be remarked, depended on the measures which he took to consolidate it and keep it in a perfect state of discipline. All that the Company had they

owed to him; and then the question was, what was the return that ought to be made to him for his services? Was that return to be found in the simple and dry vote of thanks which had been given to him on the former days? he did not think that any man in this country would say "yes" to such an interrogatory. No person of common sense or feeling would say that this was the only reward which should be given to a nobleman at the verge of a well spent life; a life marked with goodness from his infancy to the present moment; a life devoted to the service of his country. He had, at an advanced stage of existence, proceeded to a country where he had undertaken that the trust committed to his care should suffer no injury. He had redeemed the solemn pledge; he had taken care that it should not be injured. Not only had he done this, but he had secured the possession to the Company in such a way as rendered it physically impossible for the natives of that country to shake hereafter the solidity of their Indian empire. He did pronounce it, for he had been on the spot, that the noble marquis had saved a country, the loss of which was imminent, if it had not been that he risked his responsibility, and acted entirely from his own view of existing circumstances. What a grave responsibility was this which he took upon himself. When he went to India, of course the charge to him was, "take care of the safety of that which is committed to your keeping; but, in the doing so, regard the acts of parliament, regard the opinions of the court of directors, issued from time to time; you are to beware that you do not infringe the policy of the Company, and that you do not wantonly commit a breach of any existing treaty."

Mr. *Howarth* rose to order. The learned gentleman was travelling into a variety of questions, but there was no question now before the court. He thought the day when the discussion would regularly take place would be the most proper period for the learned gentleman to deliver his speech.

Mr. *Stretzell* said he was ready to bow to the judgment of the court, whether he should proceed or not: he was not anxious to go on, and was very willing to sit down. At the same time, as he did not exactly know how the court stood, he would make one observation. He would wave, in obedience to what had fallen from the hon. proprietor (although he conceived that he was in order), any farther remarks on the merits of the noble marquis. He trusted that the learned gent. (Mr. Jackson) who introduced this discussion, would agree with him in opinion, that there was one very good reason why the farther measures to be

adopted on this subject should rest with the court of directors, namely, that the original proposition was made by them, and that what had since occurred arose from peculiar circumstances, and did not originate with the court of proprietors; if they had, then the learned gent. might insist on keeping to himself the proposition which had originated with him. Here it would have been fair to say, as there was a departure from the resolution communicated to the court of directors, in consequence of a certain error discovered in it, and a proposition submitted by a proprietor, that then the gentlemen without the bar, who had thus got possession of the proposition, should finally adhere to it. In the present case, however, the objection gave rise to a motion of adjournment which came from without the bar. It might be said, that the gentleman who formally mentioned a proposition to the court of directors, in order to prevent the continuance of an error, might claim that proposition as entirely resting with him. It was a thing that he did not wish to stickle for, neither did he think any gentleman without the bar would do so. Perhaps, if a proprietor chose, he might contend for it as a right; but even if it were, he conceived under the existing circumstances, that it would be unfair to withdraw the proposition from those who originated it.

Sir *W. De Crespigny* said, he felt that the hon. gent. behind him (Mr. Hume), had a great deal of justice in what he had addressed to the court. Much as he (Sir William) respected the noble marquis, whose family he had long known, he could not but say that the proprietors should be cautious and wary, and take care not to act prematurely. It certainly was his wish that every thing should be granted to the noble marquis in the most liberal manner, and that every degree of munificence should be shewn to him and his family; but still he thought the proprietors had better wait for farther advices from India, and not bring forward a measure of this kind before the war was properly wound up. He begged pardon for offering these very few words; but, as the present was not exactly the proper period for a long discussion, he conceived that brevity was desirable.

Mr. *Howarth* said, he only wished to express his concurrence in the opinion of those gentlemen who thought the present proposition premature. He came to the court to oppose the vote as it stood on the paper. His conduct was not actuated by any hostility to the noble lord, whose manliness of mind and disinterestedness of character he admired as much as any person. He had, however, stated elsewhere that this proposition was premature, because it was introduced on grounds

not submitted to the public; and more particularly, because they did not know what was to be done with the territory acquired, and how it was to be appropriated. He was anxious that no interference should take place with the court of directors. It was, he thought, for the character of the public and of the Company, that the resolution should originate with them rather than with the proprietors. He wished that the court should be adjourned for a week longer than had been proposed, as a matter of personal convenience to himself and to some other gentlemen.

Mr. R. Jackson wished, before the adjournment, to offer a very few observations to the court. He perfectly agreed with the hon. proprietor (Mr. Howarth), and the learned gent. (Mr. Strettel), that this was not the day to go into the full extent of the question; he would therefore just lay sufficient grounds for future proceedings, and give a general intimation of the course he meant to take when the proper period arrived. His hon. friend near him (Mr. Kinnauld) had thought proper to animadvert, with some severity, on the course he had pursued. Amongst his (Mr. Jackson's) ambitions, and it might be considered a very proper one, was the undeviating desire which he felt to stand well with his hon. friend; but it is impossible that he could stand well with his hon. friend, if the censure which he had cast on him were justly merited. He (Mr. Jackson) thought that, at first, his hon. friend displayed that pleasant and facetious manner, which rendered him a very agreeable colleague to those whose sentiments accorded with his own, but did not make him a less formidable opponent. When, however, he found that his observations were taking a serious cast, he felt that he was a little lowered in his hon. friend's opinion. "Why," said he, "does not the learned gent. give a formal notice of the motion he means to make?" Why surely, consistently with the deference that was due to the chair, it was impossible for him to take such a step. The proprietors understood that the executive body, having abandoned the resolution which had been read this day, on account of the opinion of the attorney and solicitor-general, intended to come forward with a motion hereafter for the adoption of the proprietors; therefore, nothing could be more unjust or unfounded than the supposition, that he wished any particular or specific motion to be proposed from before the bar. But that was not the only point which proved that this supposition was not correct: it was evident that a presumption existed in his mind, that the proposition would come from the court of directors; otherwise, why did he talk of an amendment,

and of an amendment only? Out of doors he had stated, that if the resolution which the court of directors had agreed to were finally moved, he certainly would move it. Again, his conduct might be traced to a principle of delicacy; for it so happened, that that which he gave notice of moving as an amendment, was, word for word, the resolution that had been so much agitated at the other side of the bar, and which was at last over-ruled, as they had learned from the proceedings of the court of directors. He had adopted that resolution, *verbatim et literatim*. He might have altered it, to have made it more brief; but, as the verbiage was not his own, as it came from the court of directors in the shape in which he read it, he did not like to make any alteration whatsoever, as he did not stand in the same situation as if he were one of the persons who framed it originally. But, said his hon. friend, "*non constat*, that, on consideration, the court of directors will not offer us this identical resolution;" and then in a strain half laughing and half serious, he observed, "but, let the court of directors propose whatsoever resolution they may, whether it be the same, or one scarcely differing from that which the learned gentleman has read, still he will offer his as an amendment." Could he mean this? Could he be serious when he made such a statement? Could he inquire, if a resolution were proposed which met the feelings and scruples of all parties, that he (Mr. Jackson) was so destitute of sense as to move an amendment to it? It would be a complete solecism, and so he would leave it. His hon. friend also observed, that it was most extraordinary to name or allude to the Marchioness of Hastings, at this side of the bar, and he seemed to censure such a proceeding as indecorous; but there was nothing either new or improper in it: such had been the stream of all proceedings of this kind. In 1793, when a grant was proposed to the Marquis Cornwallis in that court, all the nice feelings of the noble Marchioness were delicately entered into, as befitted their honour, and the terms of the grant were altered, in order to render it more acceptable to the views and sentiments of that noble family. In the present instance, what did he wish to do? he earnestly wished to make the grant more acceptable and more agreeable to the parties whom the court were anxious to benefit; surely this could not be done without some allusion to the family! "But," observed his hon. friend, "it seems the acquaintances of the family say it would be better to do so and so. I deprecate such allusions; I am no acquaintance of the parties." "Perhaps," said Mr. Jackson, "my hon. friend will allow me to say, that, though the acquaintance of the Marquis of Hastings is

a great honour, as high an honour as man can possess, that honour is not mine: I have no acquaintance with him! I have no earthly connection with him! but, while he continues to be our dignified servant, I shall feel myself a sharer in his honour and happiness, and cannot but be interested in the happiness of his wife and children! They will, I hope, be the *protégées* of the Company, to whom they are deservedly dear! and, should it please Providence to snatch the Marquis of Hastings from this sub-lunary state to a brighter and better one, he trusted they would find husband and father in the East India Company, whom he had so zealously served! Such are my feelings, and, if there be any indelicacy in acting on them, I am indelicate, but not otherwise." (*Hear, hear!*) His hon. friend (Mr. Hume) had thrown out the idea that this proposition was premature: those who complained that it was premature must have forgotten a most remarkable part of their history. The pension to the Marquis Wellesley was granted three or four years before he returned from India, and, instead of being payable from the day on which it was voted, it was granted retrospectively, from the capture of Seringapatam, the first operation of which was to put £12,000 in the pocket of the noble marquis. Perhaps he might be allowed to say, that though he differed from the sentiments of his hon. friend (Mr. Hume) in respect to granting a pension for a given number of years, to be determined by the existence of the charter, he yet preferred the mode of remuneration which he had alluded to much more in consequence of its having been approved of by others, who were acquainted with all the circumstances of the case; and, if his hon. friend (Mr. Kinnaird) had used his customary discrimination and liberality, (he could not avoid saying so) he would have perceived that, when he (Mr. Jackson) said he looked to gentlemen on one side of the bar, and to gentlemen on the other, to bear him out in the observation, that a grant of money would be the most acceptable to the noble marquis's family, he did so because he was not connected with the noble marquis; therefore it was that he looked to those whom he knew were acquainted with the noble marquis, when he stated that which he had some reason to believe would be most acceptable to his family, and which, he would say, was the more safe course under all the circumstances. With respect to this proposition being premature, they had, as he had already stated to the court, the case of the Marquis Wellesley to justify it. "We all," said his hon. friend Mr. Hume, "differ in opinion on the subject brought before us this day." He (Mr.

Jackson) did not differ from his hon. friend on the 3d of February, when thanks were unanimously voted to the Marquis of Hastings; although he did differ entirely from his hon. friend on the 31st of March, when the propriety of making a pecuniary grant to the noble marquis was debated, because, if there were reasons called for, almost beyond conviction, to shew the propriety of granting a remuneration to the noble marquis at the present time, they were to be found in the speech made by his hon. friend on that occasion. He (Mr. Jackson) always attended with peculiar satisfaction to the sentiments of his hon. friend, and whether he heard him deliver them in that court, or rose from their perusal in his study, he always found himself an improved man; from the deep knowledge which his hon. friend possessed of Indian affairs, from his retentive memory, and from the interest he took in every subject that came before him. What were the stream and tenour of that eloquent speech? His hon. friend expressed himself at a loss which to praise most, the noble marquis's profound political, or his great military character. But this, it appeared, was forgotten: he wanted farther information, and did not wish to act until he knew how their territorial accessions were to be disposed of. Some forty or fifty years had already been employed in that question, which, however, was not yet decided, and the deferring the grant to Marquis Hastings until they were informed of the way in which all their territorial accessions were to be apportioned, was putting off the consideration of the question to a period wholly indefinite. His hon. friend was also in error in another matter; and he was glad that a substantive resolution of thanks to the Marquis of Hastings, containing a clear recognition of the political as well as military character of the noble marquis, could be pointed out to his hon. friend, who had said, that, at present, they had only given their thanks exclusively, nakedly, and abstractedly, for his military conduct. Was that indeed the language which the court of proprietors lately held? no; for here he read the thanks of the court expressly given him for his political conduct in these words: "also, that this court, while it deeply regrets any circumstances leading to the extension of the Company's territory, duly appreciates the foresight, promptitude, and vigour, by which the most noble the Marquis of Hastings, by a great combination of *political and military talent*," &c. How was it possible, he asked, for any gentleman, who assented to this resolution on the 3d of February, to declare, on the 31st of March, that the noble marquis had not received their thanks for his political conduct. He

was afraid that he must revoke the compliments he had paid to his hon. friend's retentive memory.

Mr. *Hume*, "I request the original resolution to be read; what he has quoted is an amendment afterwards added."

Mr. *R. Jackson* said, he saw those precise words in two places, at the beginning of the proceedings and at their close. The only reason why he had taken notice of the word premature, and of the denial of his hon. friend that the Marquis of Hastings had been thanked for his political wisdom as well as his military skill, was to remove a false impression from the minds of the court. The discussion had probably gone beyond its regular limits; he had himself, in the first instance, determined not to say a word, except what related to the question of adjournment; the views, however, entertained by his friend on the subject had led to much of the discussion which followed. This was not a question of pounds, shillings, and pence; it was a question originated by one part of the Company, namely, the executive body, in principles of generosity, and improved on by another portion, namely, the proprietors, with feelings equally generous. He admitted that gentlemen at one side of the bar meant to act as kindly and generously towards the Marquis of Hastings as those at the other. The only question, when they met again, would be, whether the court would adopt a resolution granting a sum of money to the Marquis of Hastings, without regarding from which side of the bar the proposition came. He wished it distinctly to be understood, that he invited and called on the hon. court of directors to proceed with the business as they had commenced it. The resolution to which he had before adverted was not quite so perspicuous as he could wish it; but probably that defect would be remedied when they assembled again. He desired not to interfere with family feelings farther than what the matter on the face of the resolution fully justified. If he saw a grant proposed to be placed in the trust of certain individuals, as high in rank and as honourable in character as any in the country, was it not natural that he should look to the circumstances which called for the intervention of trustees? Those hon. trustees would have the liberty of suggesting to the court of directors the most eligible way of disposing of the Company's bounty, whether it were in land or in the funds. This he thought the better mode of proceeding, because it would be more respectful to the noble marquis, and, he would say again, more agreeable to the family, if sanctioned by the executive body and by the proprietors in general. Such a resolution would be every way sound in principle, and per-

fectly legal. To such a resolution he would most cordially agree; but if the resolution which was propounded to them should be inconsistent with the view which he entertained on the subject, he would assert his right as a proprietor, by declaring, with all the humility that became him, why he dissented from the proposition, and by suggesting such an amendment as should appear to him calculated to meet all the circumstances of the case.

Mr. *D. Kinnaird* merely rose to say that his learned friend had mistaken him if he imagined that he meant to impute to his mind any improper bias, as the ground on which he had made the observations that had excited the notice of his learned friend. He deprecated the introduction of family affairs, because they might by others be made use of instead of argument to influence the decision of the court.

Mr. *Bosanquet* said, as the learned gentleman had done him the honour of dragging him before the court of proprietors in a way that required his notice, he should take the liberty of saying a few words. Where the learned gent. had got his information that he (Mr. Bosanquet) was the only person who avowed the amendment that took place in the court of directors, he could not guess.

Mr. *Jackson* "I gathered from the hon. director's own argument, that he was the advocate and champion of the resolution which has this day been read to the court."

Mr. *Bosanquet* said, he felt it necessary to come before a great body of the court to state his sentiments, and the learned gent. might rest assured that he would always do so with patience. He had heard with patience the long statement the hon. gent. had made, and he confessed he agreed with the hon. gent. (Mr. Kinnaird) who rose to second his motion, that there was a good deal of inconsistency in it. The speech of the latter gent. contained, however, many observations that were not justifiable; he could not, indeed, see how that speech was consistent with the question of adjournment. If the proposition for a grant of £60,000 to the Marquis of Hastings had been before the court, all the observations would have been correct; but as it was not, he was perfectly ignorant how the arguments made use of by the hon. proprietor applied to the question. Another point on which he agreed with the hon. gent. was this, he deprecated the introduction of the name of the Marquis or Marchioness of Hastings in any way that might be supposed to influence that court. In the other room he had expressed himself in the same language, and he was happy to be supported in that opinion by an hon. gent., the liberality of whose ideas could not be denied. He was afraid, when this

matter came in its amended shape before the court of proprietors, that some difference of opinion might arise between the hon. gent. (Mr. Kiinnaird) and himself; but of this he was persuaded, from the liberality of his ideas, that the difference was not likely to be great, because there was one point on which they stood united, and that was on the propriety of granting a fair, and honourable, and just remuneration to the Governor-general. They might differ with respect to terms, but he hoped a perfect confidence would be placed in the court of directors, as to their anxious wish to act liberally towards the Marquis of Hastings. He hoped the court would permit him to make an observation on what had fallen from a learned gent. (Mr. Gahagan); he had treated the directors in a way which they did not deserve. He had laid down his own opinion, accompanied with quotations from statutes, which he appeared to have at his fingers' ends, with a great degree of confidence, as if he only could be right. The gentlemen behind the bar, though not entitled as he might be to give a legal opinion, had some doubts of the validity of the opinion which had been laid before the court; and he thought, on the score of justice, he was entitled to claim for the court of directors that kind of liberality, which could not fairly be refused to them, when points arose for consideration where it was perfectly impossible for them to be on a par with able and intelligent lawyers. Whenever this matter came regularly before the proprietors, he should feel no hesitation in stating his opinion openly; if that opinion should be altered by any thing that had occurred this day, that alteration he should be most ready to avow, for he never felt any disgrace in acknowledging that he had been in error, but he thought it was most disgraceful for any man obstinately to persevere in that which he was convinced was not correct. This and many other matters connected with the subject would ultimately come before the court; it would be then necessary to decide on them, but it would certainly be exceedingly improper to endeavour at the present moment to argue these different points. He apprehended the ground on which the matter now rested was this, that it was referred back generally to the court of directors, and that they would come forward with a substantive proposition on the subject. His learned friend, he understood, if not satisfied with the resolution submitted to the court of proprietors by the executive body, reserved himself to propose any amendment which he might think circumstances demanded.

Mr. Grant said, he would only trouble the court with a very few words, and he would have remained silent but for an observation which fell from the learned

gent. (Mr. B. Jackson). He referred the court, by way of precedent, to the grant made to the Marquis Wellesley; that grant, it should be recollected, was not taken into consideration until fifteen months after the fall of Seringapatam. True it was, that an ante-dated remuneration was connected with the grant, but that was a distant and substantive consideration. The question here was, from what time the grant or pension was to be taken up? He would not enter into the subject now, for much time had already been consumed in anticipation of a debate that properly belonged to a future day. He however would state, that he agreed with those in whose opinions he was not much in the habit of concurring, that, at present, the grant was premature; and when the subject came fairly before the court, he would state his reasons for thinking so.

Mr. Howarth said, the word *premature* having been bandied about very much, he wished to state what he understood by it. He meant that the services for which this grant was now proposed to be given were yet incomplete and unfixed, and, unless a considerable number of documents explanatory of the political views of the noble marquis were submitted to the court before they were called on to vote, he should feel it necessary to oppose the resolution.

Mr. Noel wished to ask a question of those who thought the grant was premature. On what grounds did that court pass a vote of thanks to the Marquis of Hastings? had they not, by that vote, recognised his claims on their gratitude as a warrior and a statesman? After having agreed to such a vote, was it not evident that the period had arrived when, with great propriety and great justice (not to do it, indeed, would be an act of great injustice), they might reward him for his services with the sum proposed by the court of directors?

Mr. Forbes rose to remove, if possible, the difficulty which was stated as to the existence of funds out of which the grant could be paid. A doubt had been stated, by more than one proprietor, whether the Company had, or were likely to have, the means of making good the proposed grant? but if the question which he was about to put was answered in the affirmative, it would appear that there were available funds. It had been reported that a call had been made on the *shroffs*, or bankers of Bombay and Poonah, by the authority of the government in India (for it seemed impossible that so extraordinary a proposition could have originated in a subordinate quarter), to surrender to the government all the private funds of the late Peishwa; they had been desired to discover what sums of money were lodged with them at the commencement of the late unfortunate war, for so

he must always call it ; beyond this, they had, it was said, been offered a reward on the discovery and giving up those private funds to the proper authorities at Bombay. It was farther stated, that in consequence of this demand, and the encouragement given to them to betray their trust, the sum of five lacks of rupees (above £60,000, the sum now proposed to be granted) had actually been paid into the treasury at Bombay. If such a proceeding had really taken place, it was, he must say, a disgrace to the British government. He was assured from respectable authority that this was the fact ; and as his information on the subject was dated in July, he presumed the hon. court of directors must be in possession of advices relative to the transaction. He trusted the hon. chairman would be able to answer the question. If the fact were as it had been stated to him, he could only say, as had been well observed by the natives of India, that it was a proceeding that could not be paralleled under any other modern European government, except that of Buonaparte, who it was well known gave a reward for the discovery of British property in France.

The *Chairman*.—"I cannot see exactly how this question meets the present subject, unless the hon. proprietor means to attack the character of the governor-general, whose case is now before us ; if that be his intention, a more proper time might be found for carrying it into effect. I can declare, that in the official records of the house there is nothing whatever to warrant the hon. proprietor's statement."

Mr. *Forbes* said, the answer, so far as it went, was satisfactory ; he was to understand that the court was not in possession of any document that went to support the statement he had made. With regard to the inference which the hon. chairman had drawn, he would not deny that if such a transaction had taken place, and was authorized by the governor-general of India (and he again observed, it was extremely improbable that any subordinate officer should have directed it), he did most highly condemn the proceeding, and on that ground alone would raise his hand against any grant whatever.

The *Chairman* said, the court of directors had no precise information to offer ; but there was something in the secret department having relation to circumstances extremely different, as different as light and darkness, from the transaction to which the hon. proprietor had adverted ; it might bear on prize money, or some question of that kind ; he was, however, bound by his oath to keep it secret, and that oath he would maintain inviolate. The rumour, perhaps, originated in the exaggeration and high colouring of some particular transaction. He now begged

leave to make a few observations on the business before the court. He meant not to enter on the general subject, which he was sorry to say had been already too much discussed. The character and conduct of the court of directors had been most unnecessarily and unjustly arraigned by a learned gent. (Mr. Gahagan) whom he now saw in the front of the court ; but whether in the front or the rear, he was ready to charge him with a great mistake as to the conduct of the court of directors. They were accused with great want of diligence on this occasion, and the indictment contained a variety of other charges ; but he begged leave to tell the learned gent. that there was a *flaw* in the indictment, and it could not stand. The court of directors had not yet acknowledged the validity of the opinion given by another authority ; it was a matter of discretion to act as they had done, in order to obviate any difficulty that might occur when the proposition came before the controlling power ; they had merely placed the opinion on the table, that the proprietors might be made acquainted with all the circumstances. If he expected the directors, who were plain men, not brought up to the law, to be so deeply versed in its mysteries as he was himself, he expected that which was very unreasonable ; but he hoped he would give them credit for some common sense, for some acuteness of intellect. According to the learned gentleman's doctrine, they had no right to dispose of a shilling by way of pension or grant : all the pensions granted since the charter was renewed were void ; they had, in fact, no legal funds to go to, and were, in what they had done, the most wasteful and profligate expenders of the public money. But there was a countervailing legal authority that set the court of directors right, and shewed that the just and proper appropriation of the public funds was to reward those who had rendered meritorious services to the Company. Indeed, plain, common, or other sense, would prove, on reading those enactments, that the court of directors were right in what they had done, and that they need not fear a *mandamus* from the court of King's Bench, as they had once to answer, in consequence of the course they took on a disputed legal question. He hoped the learned gent., after what he (the Chairman) had said, would acquit the court of directors of having given up this point ; they had not given it up, and would not, although it might be dangerous to moot, and bring into discussion, what they contended to be the fact, that the Indian territory and its revenues belonged to the Company. Since the act of the 53d of the king was passed, they had renewed the pension of the Marquis Wellesley for his life, that

of Sir John Kennaway for his life, and the pension granted to their hero, Sir David Ochterlony, was also for life. These grants having been sanctioned by many legal authorities, by the counsel in that house, and by those who canvassed them at the west end of the town, the decisive inference was, that the court of directors had not exceeded their powers, but had acted with propriety. Here he must observe, that this proposition for a grant of 20 years, was not a proposition of his; his was that to which the learned gentleman was very happy to see, had taken a fancy to, and he augured well of that fancy. He did not mean, in making this proposition, to bring his (the Chairman's) fancy, or the honour of the Marquis Wellesley into dispute; but he did think, that when the court of directors shewed the utmost anxiety to do justice to the Marquis of Hastings, it was quite unnecessary, perfectly uncalled for, to bring forward the name of the Marquis Wellesley. He conceived, with all due deference to those who did it, that it was very bad taste. That noble marquis was rewarded at a former day; and it was in the power of the Company, at another period, to adopt a different course. The only question was, whether the amount of grant was disproportioned to the services performed. The pension of £5000 for 20 years was a little more than the grant of £60,000; but as to the course of proceeding, that was perfectly open to the court; they might, without reference to former cases, adopt either the grant of a pension, or of a gross sum. The question now was, that the further consideration of the subject be postponed till the 28th of April.

Mr. R. Jackson intimated that Mr. Howarth wished the postponement to be for a week longer.

The Chairman then moved to adjourn the further consideration of the question till the 5th of May.

Mr. Gahagan took that opportunity of explaining. He had merely expressed his surprise, that on receiving the intimation of the attorney and solicitor-general, the court of directors, for the first time, made a pause, and took that question into consideration, with which, had they been vigilant, they would have been acquainted long before, instead of waiting till the opinion of the law officers of the crown had been handed to them.

The question was then adjourned to the 5th of May.

CHAPLAIN AT CANTON.

The Chairman said, before the court separated, there was a subject which he wished to bring under their notice. The court of directors had felt it necessary to appoint a chaplain to the factory at Canton, in order that individuals there should not exist without the means of religious improvement, an omission that might, in truth, be heretofore complained of. There would not have been an absolute necessity for bringing the appointment under the notice of the court, as the chaplain would be paid out of the emoluments of the factory; but as it was a new office, it was proper that the approbation of the proprietors should be obtained. In the mean time, the court, thinking that the chaplain should be sent out with all convenient speed, had authorised him to proceed, as they had a right to do; if the proprietors refused their sanction, which he could not anticipate, the only inconvenience would be, that the person whom the directors had appointed would have a journey to China and back.

Mr. Lowndes said, if they sent persons out to China, unless they were very careful whom they selected, they might undermine their interest in that quarter. They ought to recollect that the Jesuits had established a power of their own, instead of supporting that of Spain. The hon. proprietor was proceeding, when he was interrupted by

The Chairman, who said the directors were not going to send out a Jesuit. (*Mr. Lowndes made an effort to speak.*) The Chairman begged leave to stop this debate. The hon. proprietor might discuss the question at another court.—(*Mr. Lowndes made another attempt to be heard.*) The Chairman said, "Mr. Lowndes, I must really address you by name, and compliment you on the admirable state of your lungs. I beg leave to observe, that this gentleman is not a sectarian, but a regular clergyman of the church of England; therefore, I hope the appointment will be unanimously approved of, and I beg of you, above all things, not to give us another speech."—(*A laugh.*)

The court then adjourned.

The report of the debate in the general court of proprietors at the East-India House on the 21st April will be given in our next number.

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

March 30.—Ceylon.—The Earl of Lauderdale addressed a question to the noble Secretary of State for the Colonies, which was most important in relation to the public expenditure. He wished to know, whether any account had been received by government of what part of the expense of the military operations in Ceylon was to be defrayed by the East-India Company.

Earl Bathurst said, that no estimate of the expense had yet been received, and that he had reason to apprehend that the account alluded to would not be received before the recess. The government of Ceylon had been in correspondence with those of Madras and Bengal on the subject of the part of the expense which those governments are to pay. He had learned, but not officially, that the whole force sent from Madras to Ceylon had returned, and also the whole from Bengal, with the exception of one regiment; but as to the charge that was not yet known.

The Earl of Lauderdale repeated his question, and Earl Bathurst his answer; on which the Earl of Lauderdale put it a third time; but as it seemed to the reporter to take a bearing from the terms in which it was conveyed, we give them.

The Earl of Lauderdale repeated his wish to know whether any account could be obtained of the charges made by the East-India Company against this government, for the force sent to Ceylon. Here the conversation ended.

HOUSE OF COMMONS.

March 5.—The East-India Goods' Act and the East-India Goods' Act for Ireland were severally committed.

March 11.—General Gourgaud.—Mr. Lambton stated, that he had received a petition from General Gourgaud, denying all the statements which had been made on a former evening by an hon. gentleman opposite (Mr. Clive) regarding the seizure of himself and papers. When he saw a noble lord in his place, he should take an opportunity of presenting the petition.

Judicial System of India.

March 16.—Mr. Hume rose to move for a return of papers relative to, and declaratory of, the judicial system at present pursued in India. He was anxious that the house should clearly understand the nature of that system, which had been too favourably represented. In this country we had been completely in the dark as to the deplorable state of jurisprudence in India, both civil and criminal, and as to the state of the police there. The subject

nearly concerned the welfare of no less than from 70,000,000 to 80,000,000 of souls; yet, in respect to it, the public now were, as they had been for the last twenty years, in a state of profound ignorance. Civil justice was there virtually denied to suitors; those very suitors were obliged to pay the government, on the amounts claimed by them, from 50 down to 7 and 6 per cent. This he was able to declare from the East-India Company's own regulations of the year 1814; regulations, in which the house would find with astonishment, that a fine is to be levied on the value sued for, decreasing as the amount increases, from 50 down to one per cent. That astonishment would rise higher, when he stated that every document requisite to the progress of a suit, the citations, examinations, and depositions, &c. were all to be written, every sheet of them upon stamped paper, thereby swelling those heavy expenses to an enormous total. Those expenses, under the native princes, never exceeded 25 per cent. on the amount claimed. This, then, was almost a virtual denial of justice altogether.—(*Hear!*)—The consequence was, that for years together, suitors were unable to obtain justice; and it was stated in the documents already on the table, that in the course of a long life a man could scarcely expect to see any determination of suits commenced in Asia. From all this had flowed an increase of crime, enormous, and such as that house was little prepared to learn.—(*Hear!*)—The depravity of the inhabitants of Bengal, in particular, had exceeded all bounds. He blamed no individual; it was the system of which he complained. When the house understood that the system of the late Lord Cornwallis, introduced in 1792, prevailed in one part of India, while in another it was altered and disfigured, so that throughout those extensive dominions there was neither uniformity of law nor uniformity in its operation, he hoped the house would feel how necessary it was to consider of a remedy for such alarming evils. (*Hear!*) He should therefore move that there be laid before the house, copies or extracts of the reports of proceedings in the several presidencies, relative to the administration of justice, transmitted to the directors of the East-India Company, from 1810 to the present time.

Mr. Canning said, that as the object of the motion was merely to produce information upon an important subject, the administration of justice in India, he should not oppose it. Upon the present

system there was some difference of opinion, and much controversy, not as to the goodness of the system itself, but as to its adaptation to the existing state of India. He was rather inclined to doubt whether it was completely adapted to the country, or had produced all the beneficial results which the benevolent wishes of Lord Cornwallis expected from it. Consistently with a regard to a just representation of things, which should be studied in preference to scenic effect, he could not draw so highly coloured a picture as the hon. gent. had done; but he should rather say, that the benevolent intentions of the author of the system had not in all the branches of it been realized. If some evils had flowed from that mode of dispensing justice, he was by no means prepared to say that positive benefits had not been effected by it. It should be remembered, that it was a system sanctioned by the name of Lord Cornwallis, and by the approbation of that house; and as the emanation of so great and luminous a mind, it ought at least to be approached with some degree of hesitation and respect. (*Hear!*) Of the several motions which the hon. gent. had purposed to make, and which he did him (Mr. Canning) the honour to transmit to him some time ago, he had selected four, which he thought would be found to answer his object best; and the papers required by these, even, would be so voluminous, that he was sure the day proposed for the discussion of the subject would prove to be a very distant one. (*A laugh.*) If, indeed, he (Mr. C.) had any inclination to be malicious, he would accede to the hon. gent's. motion for the return of all the papers; for, in that case, he was certain the day would never come at all. (*A laugh.*) He therefore, thought, that the returns required by the 1st, 4th, 6th, and 7th motions on the hon. gent's. list, would be very proper.

Lord Morpeth complimented the right hon. gent. (Mr. Canning) on the openness and candour with which he delivered his sentiments upon this highly important subject. At the same time he considered the motion as tending to improve our institutions for the just and speedy administration of the laws under which the various inhabitants of India look for peace and security. It was his decided opinion, that however extensive our territorial dominions in Hindostan might be, although we had subdued faction and revolt, had crushed a formidable confederacy of Mahratta princes, and had ranged the chieftains of the Pindarries under our own banners; yet our firmest empire was to be established in the affections and attachment of the native population, by making them feel that equity and pro-

tection were the principles of our jurisprudence. (*Hear, hear!*)

Sir William Burroughs admitted the great importance of this subject. Whatever difference of opinion might exist as to the complete adaption of the present system of justice to India, there could be no doubt that it produced beneficial effects. Previous to the time of Lord Cornwallis there was no regular system of justice at all, there were no regular courts. The system in a short time made progress; it increased the attachment of the people to this country, improved their condition, and induced great numbers from the neighbouring districts to settle in that part of India where it was introduced. There were, no doubt, many defects in it which would be removed in the progress of time. But the previous form and character of the native police constituted a great and crying evil; which called for that interposition of the British government which was effected in 1792. There was, therefore, a conflict between the old abuses and the new institutions which was a disadvantage to the best machinery. The population of Calcutta might be estimated at 800,000 souls, Hindoos, Mahometans, Europeans, Armenians, Jews, Parsees, Arabs, Malays, and Chinese. The native police, from which the system complained of rescued this complex population, was dreadful. Many of the magistrates there had private gaols, in which persons were sometimes confined for weeks or months without even a previous examination. He knew even an instance of a female, not twenty years old, who was committed to the town guard to be kept in custody for a few days that she might be examined. The unfortunate woman remained there for many weeks, and no information was ever given against her. These grievous defects in the native police were remedied by the system of justice introduced by Lord Cornwallis. The question was then put and agreed to.

Mr. Hume, before proposing the second motion, would beg leave to make a few remarks. The right hon. gentleman (Mr. Canning) had spoken as if he (Mr. H.) was not aware of the extent of the information for which he moved. He could assure him, that he was desirous to save time, and if he had obtained permission from the court of directors to peruse the necessary documents, there would be no occasion to move for so many papers. The police of India required the most strict attention. No system could be worse than that which prevailed at present. From the report of the committee in 1812, it appeared, that many months frequently elapsed before prisoners could be heard, and that death frequently overtook them before their cause was inquired

into. The police of Bengal was conducted by spies in the hire of government. Many of them were robbers, and had been formerly at the head of desperate gangs. Such were the characters that were let loose upon the public. This appeared from a minute of the Bengal government, dated the 24th of November, 1810, in which it was stated, that under the encouragement of head-money, held out in 1792, spies had spread through the country; that every police office had its spies, whose leaders shared the head-money for the apprehension of decoits (river-pirates who infest the Delta of the Ganges). The introduction of such a system of police was opposed by the most respectable magistrates, but still it was persevered in. The publication of Mr. Tytler, an assistant judge, shewed the great evils arising from it. Much had been said by an hon. member as to the economy observed in the appointments of judges and the other European officers in the courts of justice. But there were native establishments attached to each court, particularly learned men to expound the two codes of Hindoo and Mohammedan law, and an interpreter to each. To administer justice to the different branches of population cost more in India than in all Europe together. The whole revenue of that country amounted to about £17,000,000. The charges upon the British government, for dispensing to the natives their own laws and institutions, was not less than £1,578,000; above one-eleventh of that revenue.

Mr. Hutchinson concurred in the motion. On so momentous a subject, involving the happiness of 60,000,000 of people, he trusted parliament would legislate carefully and impartially. Its novelty added to this important question more than common attraction.

Mr. Canning could assure the honourable gentleman, that it was not the first time the subject had been under consideration; it might be called the daily food of those whose duty it was to superintend the police, and to improve the internal condition of our East-India provinces. But a controversy did still subsist between very able men, whether the system of British jurisprudence, which had been transplanted there with the best intentions, was adapted to the wants, the habits, and the interests of the natives. With his limited experience, he could scarcely say what was the inclination of his own mind respecting it; much less could he, although it had been the subject of his anxious study, express a confident opinion, where there was the authority of Lord Cornwallis on one side, and that of a distinguished successor on the other. But if equally balanced in other respects, still it was evident that

the latter had the advantage of experience to set against the prospective benevolence with which the system was introduced. With respect to the police of Calcutta, many of its evils were done away by the regulations of Sir Edward East; and farther improvements might be expected by progressive revision. In the practice of the courts, under the same chief-justice, many difficulties had been removed, and some points of difference set at rest. He had not meant to throw any blame on the hon. gentleman; but merely to state for his satisfaction, that he had selected such papers from the mass that would otherwise have incumbered this subject, as appeared to put it into a more practical shape and to contain information more accessible to the understandings of those who had not hitherto applied their attention to Indian affairs; and being less in volume could be more speedily produced. If they were not so complete as the hon. gentleman might wish, he should be happy to come to an adjustment with him in private, with a view of furnishing satisfactory information. He did not apprehend that the subject would be ripe for being referred to a committee during the present session, but he looked forward with hope to its being in a fit state for consideration in the course of the next.

The following papers and returns were then ordered to be produced:—Copies of all dispatches to the court of directors touching the administration of civil and criminal justice in India, from the year 1810 to the present period; an account of the expense of the judicial and police establishments in Bengal, Bahar, and Orissa, from the year 1792 to the latest period at which it could be made up; an account of the expense of his Majesty's courts at the different presidencies.

Proposed Grant to the Marquis of Hastings.

March 22.—Mr. Howorth observed, that an advertisement had appeared in the public papers, from the court of directors of the East-India Company, recommending to the general court of proprietors the grant of an annuity to the Marquis of Hastings of £5000, to issue out of the territorial revenues in India, for the term of twenty years. Seeing the President of the Board of Control in his place, he wished to ask the right hon. gent. whether the proposed measure had received, or was to receive, his sanction; for without his concurrence it could not legally be carried into effect. It appeared to him to be a measure of extraordinary precipitancy. The vote of that house in approbation of the Marquis of Hastings's conduct referred entirely to his military operations; every consideration of the jus-

the and policy of the war itself having been expressly excluded from the discussion. No documents had been submitted either to parliament or to the proprietors of East-India stock illustrative of the system of our policy in India; and, under such circumstances, to hurry to a grant of £100,000., as if every thing had been perfectly explained and was quite satisfactory, and as if nothing more need be said on the subject, appeared to him to be extremely premature. The right hon. gent. knew that the public were materially interested in the disposal of the territorial revenues of India; and perhaps the time was not very far distant when the attention of the house would be called, in no very agreeable manner, to the consideration of that subject.

Mr. Canning was always happy when to any inquiry he was enabled to give a satisfactory reply; but if the hon. gentleman thought that the vote to which the advertisement that he had quoted had reference was premature, he must see that any opinion now given by him (Mr. Canning) on the subject would be as premature. The only way in which such a subject could come under his cognizance was, if the recommendation of the court of directors to the court of proprietors should be adopted by the latter. In that case, the vote of the proprietors, granting the annuity, could not operate without the sanction of the Board of Control. Should the court of proprietors, however, not agree to such a vote, he (Mr. Canning) should not be called upon, as President of the Board of Control to notice the subject. The day for determining that question had not arrived; and it would be full of inconvenience were he called upon to state his opinion on an hypothesis. The hon. gent. had stated his object to be, to prevent the grant; but he must be aware that other persons had other objects; and that if a precedent were established of extracting an opinion from the president of the Board of Control on such subjects, and if, for instance, a favourable opinion should be procured, in a popular assembly such as the court of proprietors, that side would have the better of the argument

which could say they were sure of the sanction of the superior and ultimate authority. Under such circumstances, he was sure the hon. gent. would not think it disrespectful to him, if he begged to be excused from giving an hypothetical opinion as to the way in which he should think proper to deal with the vote in question, if it should pass.

Carnatic Debts.

Mr. Hume moved for various papers respecting the Carnatic commissioners, viz. Letters addressed to the commissioners by the East-India Company's directors, recommending a more speedy mode of settling the claims of the creditors; 2d, letters from the creditors to the commissioners to the same effect; 3d, abstract of the amount of the Carnatic revenue appropriated in the liquidation of the claims of the creditors; 4th, accounts of the expenses of the commissioners from their first establishment, &c.—Ordered.

March 31, Letters to India.—Mr. Forbes, advertng to the great inconveniences of the present mode of conveying letters to Europeans resident in India; the frequent delay, and the occasional loss of those letters, asked the hon. gent. opposite whether government had it in contemplation to substitute a better system.

Mr. Lushington replied, that the subject had been long under the consideration of his Majesty's government, who were fully aware of the evils described by the hon. gent., and that he hoped a bill would soon be introduced for the purpose of remedying them.

April 1.—The East-India goods' bill was read a second time, and ordered to be committed.

April 5.—The report of the East-India goods' bill was brought up and the amendments agreed to. Ordered to be read a third time to-morrow.

April 6.—An account of the returns of the number of convicts transported to New South Wales was presented, in pursuance of the orders of the house. Referred to the committee on jails and imprisonments.

ASIATIC INTELLIGENCE.

IN the peninsula of India, the principal forces still in the field are those respectively in Rajpootana, the Poona state, and in the Nagpore territory. But as soon as Appa Sahib shall have been taken or have surrendered, the necessity for active operations in any district will have nearly

subsided. The business which presses with immediate weight upon the Supreme Government, is to distribute noble and ennobling plaudits to successful valour, and to institute a scale of military encouragement proportioned to the broad and lofty pyramid of desert.

INDIA.—BRITISH TERRITORY AND DISTRICTS UNDER MILITARY OCCUPATION.

Political.—Official.

New Designation of the Poona and Nerbudda Forces.—Extract from the proceedings of his Exc. the most Noble the Governor-gen. in Council in the Political Department, 3d Oct. 1818.—“The circumstances in which the divisions of the army heretofore designated the Poona Subsidiary Forces and the Nagpore Subsidiary Forces are now placed, rendering those designations no longer appropriate, the Governor-gen. in council is pleased to direct the force under the command of Brig-gen. Smith be henceforward styled in public orders ‘The Poona division of the army,’ and the force under the command of Lieut.-col. Adams, ‘The Nerbudda field force.’—No alteration is to be made in the organization of these forces respectively, nor in the authority, allowances or relations with other officers civil and military, of the commanders of the forces respectively.—(Signed) J. ADAM, Chief Sec. to Govt.

Court Martial on Capt. Brown, at Hushungabad, July 25, 1818.—Court.—President, Lieut.col. G. Macmorine, 1st batt. 10th N.I.; Officiating Deputy Judge Advocate, Ens. R. A. McNaghten, 1st batt. 19th N.I.; Interpreter, Lieut. E. Fell, 2d batt. 10th N.I.—Charge.—“Capt. E. C. Browne of the 22d reg. N.I., and lately in command of a detachment forming the guard over Appa Sahib, the ex-rajah of Nagpore, placed in arrest by the command of his exc. the most noble the commander in chief, on the following charge:—For having, during the night between the 12th and 13th of May last, suffered the escape of Appa Sahib, the ex-rajah of Nagpore, a state prisoner expressly and particularly committed to his charge; thereby evincing a disregard of the important trust reposed in him, a neglect of just precautions for the security of the prisoner, and inattention to the proper discipline and order of the troops under his command; the whole, or any part of such conduct being a shameful and criminal breach of duty, and disgraceful to the character of a British officer.”

Sentence and opinion.—“The court having maturely weighed and considered the evidence for and against the prisoner, together with what he has urged in his defence, and the summing up of the deputy judge advocate, are of opinion that Capt. Browne is not guilty of the charge alleged against him, and they do fully and honourably acquit him of the whole and every part thereof. The court conceive it their duty to notice the great prevarication which appears on the face of, and

throughout the proceedings, and perfectly concur in the sentiments expressed thereon by the deputy judge advocate.—(Signed) G. MACMORINE, Lieut.col. and President.

The commander-in-chief concurs in the opinion of the court as to the justice with which the deputy judge advocate commented on the laxity of some of the witnesses in delivering their testimony. Distinct as the fact appears, and painful as are the sensations of the commander-in-chief in recognizing it, his Exc. does not conceive that the character of the latitude is such as could make it matter of substantive charge before a tribunal, and must therefore leave it with the degree of punishment which the observation of the court inflicts upon it.—Capt. Browne is to be released from arrest, and directed to return to his duty.—(Signed) J. NICOL, Adj.-gen. of the Army.

OPERATIONS OF THE ARMY.

Official.—Published in India.

General Order, dated Fort William, Sept. 26, 1818.—The Governor-gen. in Council has had the satisfaction of offering to the officers commanding divisions and separate detachments of the army, during the operations against the late Peishwa, the tribute of applause due to their eminent exertions; but it still remains to particularise the names of other officers, who, though in less prominent stations, have not less zealously and successfully discharged their duty in their respective spheres, and whose claim to public approbation for services performed since the cessation of the more immediate superintendence of Lieut. gen. Sir T. Hislop in the Deccan, it becomes the grateful duty of the Governor-gen. in Council to record in detail.

The course of service in the Poona territory rendered the siege and reduction of the numerous fortresses of the enemy an important feature of the war. In the operations before the strong, and frequently well-defended forts, which were reduced by the reserve division under the command, first, of Brig-gen. Pritzel, and, subsequently, of Brig-gen. Muuro; the conduct of Lieut.col. Dalrymple, of the Madras establishment, commanding the artillery, was eminently conspicuous in every siege from Singur to Sholapoor, and has received the unqualified and well-earned testimonies of the officers under whose orders he served, to his intrepidity, professional skill, and unwearied personal exertion.

Capt. Nutt, of the Bombay establishment, who conducted the engineer's department on some of these occasions, and Lieut. Grant of the Madras establishment, who, in the absence of Capt. Nutt on

other duty, occupied that important station, have been deservedly applauded for the activity and science they evinced.

The conduct of Col. Hewitt, C.B., of the Madras establishment, to whom was entrusted the execution of the immediate operations of the infantry of the reserve division, both during the command of Brig.gen. Pritzler, and after it was assumed by Brig.gen. Munro, has established a just claim to applause, for the manner in which he discharged that important trust. In the operation before Wussota, and in conducting the assault of the fortified petta of Sholapore, where his efforts were admirably supported by Lieut.col. Newall of the Madras establishment, and Major Giles of H.M. 53d reg. the merits of Col. Hewitt have been especially brought to notice by the officers successively commanding the reserve.

Major Smith, of the 2d of the 9th reg. N.L., and Capt. Gwynne, of the rifle corps, Capt. Chadwicke, of H.M. 22d light dragoons, and Capt. Munro, of the 7th Madras light cav., and Lieut. Smithwaite, of the Madras pioneers, have been honourably distinguished by their commanding officers, and the testimony borne by Brig.gen. Munro and Brig.gen. Pritzler respectively, to the able and useful assistance they derived from Capt. Jollic, of the adj.-general's department, from Capt. O'Donoghue, of the quarter-master general's department, and the other officers of their public and personal staff, is highly creditable to those officers.

The principal operations of Brig.gen. Smith's division were performed before the period embraced by this order; but this limitation does not exclude the active and vigorous pursuit by Capt. Davies, commanding his highness the Nizam's reformed horse, of a body of Bajee Row's troops, headed by Chimmajee Appah, the Peishwa's brother, and Appah Dessye, retiring to the Poona territory; in the course of which Capt. Davies and his detachment displayed equal order and perseverance in the pursuit, and forbearance and discipline after they had overtaken the enemy and received his submission. Capt. Sutherland, of the same corps, has distinguished himself by a gallant and well conducted movement against a noted predatory leader, and in assaulting, sword in hand, a glurry where the banditti had taken refuge. The conduct of this valuable corps, on every occasion of service, has proved the soundness of the principles on which it has been formed, and the fitness of the individual officers belonging to it for their arduous task.

Major Cunningham, commanding the Poona auxiliary horse, and the officers and men of that corps, have on all occasions distinguished themselves by every soldier-like quality; and the conduct of

Major Macleod, Capts. Spiller, Rind, and Swanston, demands a distinct acknowledgment.

In Kandeish the conduct of Lieut.col. Stewart, Major M'Bean, and Major Greenhill, of the Madras establishment, who respectively commanded the columns of attack at the assault of Malligong, on the 29th of May: of Major Andrews, of the Madras European regiment, who bore an active part in the operations before that place, has been viewed with high approbation by the Governor-gen. in council. His lordship in common laments the loss the service has sustained in the death of Lieut. Davies, of the Madras engineers, an officer of distinguished merit, and of Lieut. Nattes of the same corps, Capt. Kennedy of the 17th Madras N.L., Lieut. Wilkinson and Lieut. Egan, of the 2d of the 3d N.L., who fell in the operations before that place in the honourable discharge of their duty.

Lieut.col. Crosskill, who has commanded the artillery throughout the operations in Kandeish with signal zeal, exertion and success, is entitled to the marked approbation of the government for his zealous and meritorious services.

If the Governor-gen. in council confines himself to the names and occasional above-mentioned, it is only because the necessary limits of an order restrain him from adverting to every particular event of a campaign, so fruitful of gallant and successful enterprise; his lordship in council must, therefore, be satisfied with repeating his warm acknowledgments to all those who, in the late operations in the Deccan, have so greatly contributed to enhance the reputation of the distinguished army to which they belong, and to enlarge the possessions and consolidate the power of the British government.

By command of His Exc. the most noble the Governor-gen. in council.—
(Signed) J. ADAM, Chief Sec. to the Govt.

Letter to Major Cartwright, Assist. Adjt. Gen. Seypore, dated Camp Madurnj-pooran, 2d Aug. 1818.

Sir:—I beg leave through you to offer my congratulations to Maj.gen. Sir D. Ochterlony, bart. G.C.B., on the surrender last night of the fort of Madoo Glur to the detachment under my command; the fort is at present occupied by a party of our troops under Capt. Watson, 1st bat. 28th.—(Signed) W. A. THOMPSON, Lieut. col. commanding a detachment.

Private and demi-Official, published in India.

One of the Pindarree chiefs, named Sheikh Dulloo, has reached the Beitool valley with part of his durrab, with the intention of co-operating with Appa Sahib;

DISTRIBUTION OF THE BRITISH FORCE.

In G. O. dated 8th Oct. by Maj. gen. Marshall, H. M. 24th light drag. undor Col. Newbury, are directed to embark on the 10th of that month at Cawnpore for the presidency. The Maj. gen. who had served with this regiment nearly eighteen years, emphatically notices its strict discipline, exemplary conduct, love of justice, and humane treatment of the natives, and the consequent regret of the inhabitants at its departure.

H.M. 46th foot, Col. Molle, from Vellore, has arrived at Madras to relieve the 30th, which has a route to Hyderabad.

Calcutta, Nov. 10.—By recent letters from Poonah, we learn that H.M. 67th reg. foot were on their march from Bombay towards Seroor, which adds confirmation to what we before stated, regarding the state of the late Peishwa's territory, and the necessity that existed for additional force being sent into that quarter.

BAJEE ROW.

Late advices state Sir John Malcolm to have been at Mundesser, accompanying the ex-Peishwa on his march towards Benares. This Brahman had collected around him from 15 to 20,000 followers, as guards, servants, &c. and the purpose of Gen. Malcolm's halt at Mundesser was to oblige the Peishwa to reduce the number of this useless band, to which it was said the ex-potentate had hitherto expressed the greatest unwillingness.—(*Post*, Sept. 26.)

APPA SAHIB.

Previous to the unfortunate affair in which Capt. Sparkes fell, Appa Sahib, the ex-rajah of Nagpore, appears to have dispatched an agent to Sir John Malcolm for the purpose of ascertaining the terms that would be granted on his surrender, and particularly whether it was determined that he should be kept under personal restraint. To this inquiry Sir J. Malcolm is said to have replied that the British government would neither keep him a close prisoner nor confine him in a fort. The messenger had not returned when the disturbance broke out at Betool, and there is yet no account of Appa Sahib having come to any final resolution respecting his future plans.—(*Gov. Gazette*, Sept. 17.)

Since our last we have received more particular information from the Nerbudda. It appears that about 1200 Arabs and Goonds had got possession of Mooltya early in Aug., and on the 20th Lieut. Ker, of the 7th cav. with 60 troopers, in reconnoitering the place, fell in with a picket of 25 horsemen. He attacked

them and not one man escaped. The garrison having observed this, to them, unfortunate affair, and seeing that we had no reinforcements at hand, immediately sallied out, amounting to about 300 horse and 500 foot. Lieut. Ker cautiously retired, and in such a judicious and skilful manner, that he succeeded in separating the cavalry from the infantry. He then charged the former, and drove them back with the loss of about 30 killed. Maj. Cumming, with two squadrons of the 7th cav., the 2d bat. of the 10th, and two six-pounders, arrived before the town on the 21st, when the enemy again sallied forth, but were soon repulsed, and early in the morning of the 23d they abandoned the town and two old forts. This circumstance was not known in our camp till sunrise. A party was immediately sent in pursuit, but returned unsuccessful. In the evening, however, a villager brought information that the enemy was encamped at the distance of about six kos, and in consequence Capt. Newton, 2d bat. of the 10th, with 150 infantry and 50 of the 7th cav. was directed to proceed against them. At daylight next day he fortunately came within sight of the encampment, and when within 600 yards of the enemy, the detachment was interrupted by a deep nullah; but the Sepoys, eager for the contest, placed their cartridge-boxes on their heads, and plunging into the water soon surmounted the difficulty. The cavalry began the attack, which was conducted with the greatest intrepidity. Lieut. Lane is said to have had his horse shot under him, and was in a very dangerous situation for a short time. One report states that he was surrounded by three or four Arabs, and that he had killed two of them before he received any assistance. Cornet Sydney was slightly wounded. The loss of the enemy was 117 killed, counted on the field, and many wounded, their whole force not being more than 300 horse and foot. During this smart contest one of the Sepoys of the 2d bat. 10th, recognized one of the deserters from the 22d reg. who accompanied Appa Sahib in his escape from our escort, and after upbraiding him for his treachery indignantly put him to death.—We are informed that the Arabs fought desperately, but the bayonets and charges of our cavalry overcame all their efforts. There was hardly any firing. On the 24th Lieut. Ker went in pursuit of another party with 50 troopers and the same number of infantry. The enemy was posted in a small fort, but on seeing the approach of the detachment they attempted to escape to a stronger place. About 50 succeeded and the remainder were killed.—(*Gov. Gaz.* Sept. 24.)

Accounts from Nagpore, dated 12th Oct., mention the continuance of success—

ful operations in that quarter. Maj. Wilson, with a small detachment consisting of a jemadar's party 6th Bengal cav., 160 of the 2d bat. 1st M.N.I., 80 men depot corps, and 400 reformed horse, carried by assault on the 7th inst. the large fortified town of Pownee, about 25 cos S.E. from Nagpore, on the Wyne Gunga, which the enemy had taken possession of. The number of the enemy was between 1200 and 2000, of which about 150 were killed or drowned in attempting to escape across the river. Their loss would have been more severe, but from the great intricacy of the town and the smallness of our detachment.—(*Bombay Courier*, Oct. 24.)

Calcutta, Nov. 10.—The Beitoal valley and the whole of the Nagpore country have been principally the scene of the late revolts. The most stubborn and courageous of the enemies with whom our troops have had to contend were Arabs and Goands; and among the slain the first have been always the most numerous, as being constantly found in the hottest of the fight.—Lieut. Cruikshank has particularly distinguished himself in these contests, and Lieut. Lane, of the 7th cavalry, has been so closely engaged as to have had two horses shot under him within the last two months, besides being wounded himself. By their small detachment, a march of 40 miles was made, and two battles fought within the space of 26 hours, and the troops bore all with firmness and cheerfulness, though the roads over which they marched were unusually bad, and they tasted no food till the close of their gallant labours. These roads in the territory of Nagpore are so bad, that it is said only six camels survived out of 46 that were employed for a very limited period near the bank of Nerbudda.—Major Bowen, of the Madras army, has also distinguished himself in several gallant actions with those Goands and Arabs, and particularly in an affair against Boordace.

Major Wilson has also earned his portion of military reputation, by the taking of Pownee, another strong post, seated on the banks of a river, about 25 miles to the S. E. of Nagpore. The details of this gallant storm reflect the highest credit on the courage and skill of those engaged. The Mogul horse, who are attached to Major Wilson's party, behaved with great bravery, and evinced what the conduct of Indian troops has always so conspicuously shewn, that good leaders and brave chieftains are almost all that are wanting to make disciplined soldiers and courageous men.

The last letters we have from Hussainabad are of the date of the 10th Oct., and they inform us that Sheikh Dulloo, a celebrated Pindaree chief, has made his appearance in the Beitoal valley, with a

train of followers, and that Appa Sahib himself was about to make a movement to the eastward.

The Madras troops, adds our correspondent, are taking fort after fort in the neighbourhood of Nagpore; and the Ex-Rajah's resources, he adds, are so completely exhausted, that he may soon be expected to effect an escape from his own troops, and throw himself on the mercy of the enemy whom he has so fruitlessly braved.

A letter from Nagpore states that a body of the enemy, consisting of 600 Arabs and some Hindoostances, moved down from the Deo-Pahr hills in confident expectation of possessing themselves of Deo-ghur, a strong fortress formerly the capital of Gondwana.—The enemy had been encouraged to the attempt by the disaffected garrison of the fort, who being detected by us, had previously to the enemy advancing, been displaced by a party from Capt. Pedler's field detachment of the Bombay army. The result was as may be supposed, and reflects the highest credit on the judicious arrangement and gallantry of Capt. Pedler and his detachment, who surprized and effectually dispersed the whole body, following them up to the hills and capturing every part of their baggage. Unfortunately from the nature of the country, inaccessible to cavalry, but few of the Arabs were killed.—(*Bom. Cour.* 28 Nov.)

HORDE IN MAHADEW HILLS.

By accounts dated 25th Nov. we learn that that distinguished officer, Capt. Davies, commanding the Nizam's reformed horse, on the morning of the 25th Nov. after a march of 22 miles, came on a party of plunderers in the strong hills of Mahadew. The enemy were daring enough to draw up and receive the charge of Capt. Davies's troops, who in an instant sabred 23 dead and wounded 13 others; the remainder fled up the hills: and as these were too steep for the cavalry to follow, Capt. Davies and his party dismounted, but were unable to come up with the fugitives.—(*Bom. Cour.* 5 Dec.)

RAJPOOTANA.

Calcutta, Sept. 22.—Extract of a letter from camp, near Madurajepore.—“Fortune certainly favoured our little army; not 300 strong, with 18 pieces of cannon, we subdued a fort in seven days that the famed chieftain Meer Khan, with 50,000 men and 150 pieces of artillery, could not in eleven months, during which time he was before it. His loss during that period amounted to about 3000 men in killed and wounded, whilst ours has been only three killed and about eighteen wounded.—We are ordered to wait here, to see if all the other refractory Takoor

will come into the Jeypore Rajah's terms, and accept the pardon offered, or whether they will stand the test of British guns and British bayonets. I hear the principal chiefs have already come in, viz. the Koosah Ghurman and Ram Takoor.—The place belonging to the latter is said to have been built by the gods, as well as Comut Ghur (a fort we were very nearly attacking, but luckily the fellows took 30,000 rupees to give it up), Gwallior, and Collinger.

Extract of a letter received from camp. —“The rains are at last over; and we have every appearance of an early cold weather this year, in return for the heavy rains that have fallen, and completely spoiled all our tents. We move in a day or two to Tpdah, a small hill fort that will not come into terms. The fort of Kurnee gave in a day or two ago, on hearing we were advancing towards it: and we should have been there long since but for the cholera morbus which has been raging in our camp; about 150 sepoys have died from it out of about 2000 men. No Europeans have died, though six or seven have been attacked. It has left us now, and the men are recovering fast. Sir D. Ochterlony takes the field in a short time, and Jaudpore is supposed to be the direction of our march.”—(*Cal. Times*, 30 Oct.)

UPPER PROVINCES.

“Camp Sirsah, Aug. 25, 1818.—We arrived here the day before yesterday, and took possession of the fort, which is not worth the name. It belonged to Khan Bahadoor, a Bhuttee, whom we had given it to some years ago. Five companies of the 25th, and two battalion guns, with three russallas of Skinner's horse, marched yesterday morning to take possession of Ranceah, belonging to Zobita Khan's, a Bhuttee. The general accompanied them and returned this morning. That place was nearly deserted too, and most *Paifjee*. Capt. Wilkie commands there, and Capt. Ferguson from Delhi will remain there as commissioner in the Bhuttee country. To-morrow we march to Futtyabad, two marches; then to Hissar, three do.; and 35 coss on to Dundarah, a fort belonging to some rebellious Jauts in the province of Nagore. These fellows are to give battle, they say, but they will think better of it perhaps before we get there. There is no water said to be within some coss of it, which gives the gentry courage. There are two or three other places to be taken in their neighbourhood, after which it is reported we shall return to Muttra. This is the wildest country ever was seen; nothing but jungle in every direction, as far as the eyecan extend, and full of lions.”

Brig. Arnold has obtained possession of all places which were refractory in the

Battie country and the Nagore territory, and had ordered back the 1st regt. cavalry, train, &c. &c.; but disturbances having broken out among the Seiks chiefs between Kernaul and the Settledge, the 1st cav. and artillery were recalled, and the brigadier was preparing to march in that direction to quell the disturbances. Affairs in Rajpootana are far from being settled. Almost all the Takoor and old families are turbulent and refractory, and will not submit to the rajah's authority without a military force; the rains however, have been so exceedingly heavy as to put a stop nearly to all military operations. In the cold season the troops may have a good deal to do, but matters will soon be settled.—(*Ind. Gaz.* Oct. 12.)

CALCUTTA.

CIVIL APPOINTMENTS.

Lieut.col. J. Young, secretary to government in the military department, is permitted at his own request, to resign the service of the hon. Company, and is succeeded by Lieut.col. H. Worsley.

LOCAL AND PROVINCIAL.

The hon. Sir Thomas Raffles and his lady have arrived at the presidency on the Udny from Bencoolen. Sir Thomas landed on Tuesday afternoon under the salute due to his rank. (*Gov. Gaz.* Oct. 1.)

At the meeting which took place on Thursday last to take into further consideration the best means of clearing the Island of Saugor, and to adopt a scheme for the constitution and guidance of the committee of management, it was specifically agreed that the society should be limited to 250 shares, each share to be 1000 sa. rs., but that on 150 shares being filled, the undertaking should immediately commence. The magistrate and collector of the 24 Pergunnahs, for the time being, are to be permanent members of the committee. The aid to be solicited from government is as follows: twelve elephants for 6-pounders and four native artillery-men, six swivels, one company of Sebundies, and such tools as can be spared from the arsenal. The society engage to reserve for the use of government such spots of ground as may be required for public purposes. It is expected that the usual reward of 10 rs. for every tiger killed will be granted by government to the persons employed, and the society intend to give a further reward of 5 rs. It is now supposed that the whole island may be cleared in three years. An official map of the island, drawn in 1811, was submitted to the meeting; from which it appeared that the island is about 20 miles in length and 5 miles in general breadth. Although the shores are bordered with

thick underwood and lofty trees, the interior in many considerable spots is said to be covered with long grass, which may be easily removed by fire. (*Hirkaru*, 26 Sept.)

130 shares have been already taken; and it is stated that Mr. Dunlop, a gentleman who has turned his thoughts particularly to the subject, has been appointed to superintend the arrangements and work, and that he will reside on the spot. (*Ind. Gaz.* 28 Sep.)

We are informed that government have acceded to the request of the society, for clearing and cultivating Saugor, and have granted the island free of rent and taxes, for a term of 30 years, and after that period, in perpetuity, for a rent of four annas per begah annually. They have also most liberally offered their cordial support towards the accomplishment of the desirable object in view, and the deeds of transfer will be delivered to the society as soon as the shares are filled up. (*Gov. Gaz.* Nov. 5.)

Extract of a letter from the interior, dated Sept. 27.—“The River Ganges has risen higher this season than it has done for many years, and is more like a sea than a river; the country in the neighbourhood has been entirely under water. There are hundreds of villages completely inundated and deserted; all intercourse is carried on by boats, which are seen sailing in all directions amongst groves of trees and over fields of grain, the green tops of which are just above water. On the banks of the Hoogly, as the villages are built on knolls, beautifully wooded on all sides, they assume the appearance of fairy islands. The only melancholy part of the prospect is formed by groups of cattle clustered on every spot above water, and starving for want, as I have seen cattle at home during a heavy storm, when the ground was deeply covered with snow.”

The heavy rains, attended by thunder and lightning, still continue at the presidency. Since the first part of June the unusual quantity of 30 inches of rain has fallen. (*Gov. Gaz.*, 8 Oct.)

The Epidemic is stated to have made its appearance at Nellore and its neighbourhood. (*Ibid.*)

A hospital for the reception of lepers has been projected, and is likely to meet with support from the liberality of the public. The number of wretched creatures, labouring under leprosy, in and about Calcutta, calls for a measure of this kind, as the nature of the disorder precludes them from receiving benefit from any of the charitable institutions already established. (*Ibid.*)

It is said that the price of indigo has increased in the Calcutta market; and
Asiatic Journ.—No. 41.

that musters of a good quality, lately exhibited at the exchange, have been priced from 190 to 200 rupees per maund.—(*India Gaz.*, 19 Oct.)

It is gratifying to observe that, in the present distressed state of the shipping of this port, the service of government should require the employment of no less than thirty-six ships within the last six months. This circumstance has no doubt alleviated in a great measure the suffering of the ship-owners.—(*Hurkaru.*)

A mis-statement appeared in the papers of last week, regarding the ship William Petrie, which we are called upon to correct. It was stated that she was seized for having slaves on board, and released on bond given for her value. The case however was this: a Mogul passenger went in her from hence to the Persian gulf, with his women, whom he called his wives. On the ship being boarded by the Nautilus, a Company's cruiser, off Muscat, these women confessed to Capt. Hall, that they were slaves purchased within the district of Calcutta. On this, the ship was seized and taken to Bushire; but it being found that the captain of the William Petrie was ignorant of their being slaves, the ship was released and suffered to proceed on her voyage to Bussorah. On the return of the ship towards Bengal, these same women were re-shipped at Bushire, by order of the resident there, to be delivered up to the magistrates of Calcutta, as slaves bought at this place. (*Calcutta Journal*, Oct.)

SHIPPING INTELLIGENCE.

Arrivals, Nov. 3.—Eclipse, Cogill, from Portsmouth, 1st July.

5.—Rockingham, Waugh, from Portsmouth, 1st July.—Passengers; Mrs. Colvin and two children, Mr. J. Colvin, Miss A. Rees, Mr. P. McMellan, surgeon; Mr. J. Doveton, mariner; Mr. R. Wilcox, and Mr. F. J. Staunforth, cadets.—Passengers per brig Salamanca, Capt. W. Roy, country service.

7.—Phoenix, Thomson, from London, 27th March.—Passengers from London, Mrs. Kelso, Miss Murray, Mr. C. Smith, and Mr. F. Candy, cadets; from St. Helena, Mr. and Mrs. Knipe; from Madras, J. Taylor, Esq. civil service; C. Clay, Esq. ditto; Capt. J. Fullarton.

Departures, Nov. 3.—Mary Ann, Webster, for Colombo; Hugh Crawford, Athel, for Greenock; Guildford, Johnson, for Liverpool.

5.—Lord Hungerford, Williams, for Colombo; Cornwallis, Brown, for ditto.

9.—William Dawson, Scot, for Liverpool.

BIRTHS.

Nov. 8. At Kishnagar, Mrs. Taddy, of a son.
—The lady of Capt. Edw. Toussaint, of the ship Pasco, of a daughter.

- Nov. 3. Mrs. Wm. Clark, of a son.
 10. At Chowringhee, the lady of Col. White, of a daughter.
 15. The lady of Capt. Rainey, commanding the Governor-gen.'s body guard, of a daughter.

MARRIAGES.

- Oct. 27. At Cawnpore, Capt. Christ. D'Oyly Aplin, Aide-de-Camp to Maj.-gen. Marshall, to Julia, fourth daughter of Maj.-gen. Marshall.
 30. At Kishnagur, W. H. Bell, Esq. of the Civil Service, to Miss Shearman.
 — At Bankipore, Patna, Rich. Milbanke Tilghman, Esq. of the Civil Service, to Miss Caroline Fleming.
 Nov. 3. At Sooltanpore, Oude, Lieut. J. O. Clarkson, 2d bat. 21st reg. to Miss Price, daughter of Lieut.-col. J. Price.
 4. At Soorool, Robt. Creighton, Esq. of the Civil Service, to Emily, second daughter of John Cheap, Esq.
 7. Mr. M. Rebeiro, to Mrs. Da Costa.

DEATHS.

- July —. At St. Helena, Capt. Bunn, of the ship *Mangles*.
 Sept. 6. While Mr. Carter, second officer, and Mr. Parsons, midshipman of the H. C. S. *Phoenix*, were sailing in a small boat, they were unfortunately upset in tacking, and both drowned. Two seamen who were with them were saved by swimming, after having exerted every effort to save their officers, ineffectually, from the rapidity of the river at the time.
 Oct. 17. Brig.-gen. Sir Augustus Floyer, K.C.B. commanding at Hyderabad.
 20. Mr. Wm. Hedger, crier, keeper, and apparitor of the Supreme Court.
 23. In camp, at Sonaree in Malwa, Capt. Hodges 3d cavalry.
 31. At Purneah, Isabella, infant daughter of J. M. Davidson, Esq. Civil Surgeon at that station.
 Nov. 3. At Bankipore, of the cholera morbus, Duncan Mackintosh, Esq. son of a gentleman similarly named, and formerly of the Bengal Military Establishment.
 7. At Miss Thornhill's, Thos. Baring Sealy, second son of Major C. Sealy, of the Artillery.
 10. Of the cholera morbus, Sophia, daughter of Mr. Charles Christians.
 — At Sheddahgur, the lady of Lieut. H. S. Mathews, of the 19th N.I.
 — Mr. Thos. Penn, riding master, 3d cav.

MADRAS.

LOCAL AND PROVINCIAL.

Account of the Storm.—Early on Saturday morning, the 24th October, it blew a fresh gale from the northward, which though very severely felt, is not stated to have occasioned any serious damage either at sea or on shore; at least, nothing in comparison to that which was soon after experienced. About half past eight the weather became much more moderate, the wind subsided nearly to a calm, but suddenly shifted round to the south-east, whence it came on to blow in strong gusts, which presently increased to a furious hurricane, accompanied by heavy and incessant rain. For more than two hours the storm exerted its utmost fury, spreading destruction and desolation in every direction. Trees being torn up by the roots, are usual in every severe tempest; but at Madras, on this occasion, whole avenues have been laid prostrate. The face of the country bears quite an altered appearance; vegetation of every description has suffered most severely, and young plantations are every where ruined. The roads and gardens, and the view in every

direction, will long bear the marks of the last destructive storm. It would be an endless task to enumerate the mischief occasioned by this awful visitation; and although but few lives are as yet known to have been lost, property to a very great amount must have been destroyed.

If such have been the effects of this calamity on shore, how fatal must have been its progress at sea. The whole of the shipping, as enumerated in our last number, must all have been seriously damaged, and some totally lost. In the early part of the day, the brigs *Ruby* and *Lark* were cast on shore to the southward of the fort, but the crews were saved, and two days after the gale the brig *Fly* was thrown on shore south of St. Thomé.

Soon after the commencement of the gale, the *Castlereagh* and *Wanstead* (homeward bound) got under weigh and gained the offing; as did also the *Barkworth*, *Cornwall*, *Charlotte*, *Harriet*, and the American brig *Neptune*. A few shots were fired at the *Cornwall* from the saluting battery before she slipped her cables and put out to sea. The *Harriet* returned to the roads on Tuesday, having suffered severely in the gale. The officers of that ship state, that they saw on Sunday two ships and a brig, which had apparently sustained serious damage, the greater part of their masts and yards being gone, and that soon after they lost sight of them in a squall.

A report having reached Madras that a ship had foundered off Trevamboor, about eight miles south of Madras, Capt. Trescott of that ship proceeded to the spot on Monday. About a mile from the shore he could discern with a spy-glass a few feet of the top of the ship's masts above water. Having procured a boat and catamaran, Capt. T. proceeded immediately to examine the wreck, and succeeded in bringing on shore with him a part of the top, and cap of the topmast, with some pieces of wood which he cut off from the main and foremasts. It may be of consequence to state, that the mainmast is of a peculiar sort of wood, which grows on the Malay coast, and is generally used for masts at Penang; the foremast and bowsprit of teak, and the topmast of European fir. The top of the masts and gratings are painted white. Three ships on the morning of Saturday were seen from Trevamboor drifting to the southward with their masts still standing, but no sails set. As soon as it came on to blow from the

* On Friday evening there were riding in the roads, among others, the ships *Lady Castlereagh*, *Welton*; *Cornwall*, *Tie-sell*; *Wanstead*, *Young*; *Barkworth*, —; *Harriet*, *Bean*; and *Charlotte*, *Wilkinson*; brigs *Ruby*, *Fly*, and *Lark*. The *Castlereagh* and *Cornwall* were chiefly loaded by this government, and nearly ready for sea; and the *Wanstead* had got her first clearance.

southward, two of them were dismayed immediately, when they endeavoured to stand to the eastward. The third, supposed to be the Charlotte, went down, and dreadful to add, every soul on board must have perished!

The following may be considered as an official document on the subject.

Since Thursday last, the Cornwall has returned to the roads with the loss of only her mizenmast; but otherwise so much injured, we understand, as to have been condemned, and abandoned to the underwriters. The Georgiana has also dropped down from Pulicat. The Lady Castlereagh reached Madras roads in a very disabled state, with only her foremast standing; and we are informed, has since proceeded to Cuddalore, for the purpose of having her cargo landed; after which, it is understood, she is to be taken to Trincomalie; five men and a child are stated to have perished on board during the storm.

We understand a Lascar belonging to the crew of the Charlotte has been saved on one of the spars stowed between the masts, which had been cut loose to clear the long boat: another of the crew, it appears, got on this support with him, but unfortunately perished; it was driven on shore some way to the northward of Madras; and the man has returned safe to the presidency: he confirms the statement of the ship having founded.

The weather since the storm has been uncommonly fine for the season—latterly resembling that after the monsoon. This is a most gratifying circumstance, both on account of the shipping, as well as by its having afforded an opportunity for repairing much of the damage which has been done on shore.—[*Gov. Gaz. Nov. 5.*]

Extract of a letter from a gentleman at Madras, received at Bombay.

“Madras was visited with one of the most tremendous gales of wind ever experienced in the recollection of the oldest inhabitants. It began to blow from between the N. and N.W. points of the compass on Friday evening, and continued increasing till Saturday morning, when it blew with great violence till between 8 and 9, it then became more mild and lulled almost to a calm; at 10 o'clock the wind came round to the S. S. W. and S. W. by S. and blew a perfect hurricane: nothing could resist its violence, trees that the united forces of 50 men would have made no impression on were snapped asunder; stones 2 feet in diameter were blown for many yards from their original station: many tiled houses were completely unroofed; the windows and doors of my brother's house were all blown in, and we had only a small room to shelter us from the violence of the wind, in which we all sleep and dine,

and yet I hear we have suffered comparatively less than our neighbours. There is scarcely a tree standing on the Mount Road.”

The following judicious observations on the barometer are from the Government Gazette of the date above.

The barometer at nine o'clock on Friday night, Oct. 23, stood at 29, 8 inches; by sunrise next morning it had fallen to 29, 524; and at eight o'clock it was at 29, 250. It is never so low as this in ordinary gales of wind here; but in half an hour it had sunk to 29, 1, continuing to fall, at 10 o'clock, during the calm. It was at 29, 78; this is a depression of the instrument we never saw before at Madras: at 11 o'clock the column had risen 25 hundredths of an inch; it continued rising and by three o'clock it was about the same elevation, it had been in the early part of the day; the thermometer was 77 of Fahrenheit, at sunrise; during the violence of the southerly wind it continued at 74.

The barometer is considered by many of little use in this part of the world; and the reason is, that the scale of its variation is very limited compared with that in high latitudes; but it is only necessary to know the scale, and the effects of different states of the atmosphere upon it, to make it equally useful here, as in the regions at a great distance from the equator; a sudden fall of two or three tenths of an inch, is as easily observed on this instrument, as the fall of as many inches, and we never knew it fail. The fall of rain from sunset on Friday to sunset on Saturday was about five inches.

Hopes were entertained that the change in the atmosphere produced by this visitation would have favourable effects with regard to the epidemic; these hopes appear to have been realized, as we are happy to find that in parts of Madras where there were numerous cases ten days ago, there are now scarcely any; and that this favourable change has taken place, in consequence of the alteration in the state of the atmosphere produced by the storm, is no unfair conclusion.

The disorder appears to be most prevalent at present at Royapooram, outside the Black Town Wall, on the north; but we understand few, if any of the cases, have terminated fatally, where timely application has been made for the prompt and effectual medical aid, to be obtained in every part of Madras.

Nov. 10.—We are happy to learn that the spasmodic cholera is fast disappearing before the skilful arrangements of the medical gentlemen of Madras. We almost hope that our next publication will an-

nounce the total suppression of this terrible invader.

SHIPPING INTELLIGENCE.

Nov. 12.—The Lady Castlereagh has been surveyed and condemned.

From all we can learn, the late hurricane did not extend either far inland or far to the southward; the N.E. gale, it appears, commenced to the northward on the evening of the 23d. We have before us a letter from Capt. Patrick, of the late ship Success, in which he requests us to state that he had left Iscapilly Roads more than twelve hours before the gale began, having weighed anchor from that place early on the morning of the 23d, and was at noon that day in latitude 14° 21' 50. N. and longitude by chronometer 80° 44'; out of soundings; that they stood to the south and east all that night, till daylight the following morning, the N.E. gale, having commenced about six o'clock, P.M. of the 23d.

The Cornwall was sold by auction on Monday, and we are informed for upwards of three thousand pagodas!

The ship Barkworth is stated to have been seen from the Lady Castlereagh two days after the storm, with her lower masts standing, and appearing otherwise in good order.

Accounts have been received of the arrival at Masulipatam, with the loss of her mainmast, of the brig Dotterel, which was reported some time ago to have foundered in Covelong Roads.

Arrivals.—The David Scott, Hunter, from England 10th May, and Madeira 4th June.—Passengers for Madras;—Lady Stanley, Mrs. Bontein and child; Mrs. Hopkins and child; Mr. E. Bontein, free merchant; Capt. Hopkins, H.M. 1st bat. Royal Scots; S. Ibbetson, Esq. senior merchant; Capt. H. Johnston, Madras N.C.; Lieut. A. Macpherson, Madras N.I.; Mr. R. Ricketts; Mr. R. Campbell, cadet; and Mr. R. Gordon.—For Bengal: Miss I. Carnegie, Miss F. Vaurien, Miss A. Vaurien, Miss H. Campbell, Miss H. Halcott, Miss M. Halcott, Miss S. Halcott; Mr. J. Howell, assist. surg.; Mr. G. Cumine, Mr. A. C. Baillic, Mr. E. Larkins, free mariner; Mr. C. Gale, do.; Mr. W. Wisc, do.

Oct. 8.—Euridice, Young, from Calcutta 10th Sept., bound to Glasgow.—Passengers:—Mr. Grey, Mr. Stewart, Mr. Ralph, Mr. Mackenzie, and Mr. Stephenson.

Adventure, Robson, from Calcutta 2d Sept.—Passengers: Mrs. Rogers, Dr. Rogers, Major Oliver and family.

9. Atlas, Short, from Calcutta 17th Sept.—Passenger: Mr. H. Beecher.

10. Phoenix, Thomson, from London 27th March, and St. Helena 4th August.—Passengers: Mrs. Kelso, Mrs. Knipe, Miss Manray, Miss Knipe, J. Casamajor, Esq. Madras Civil Service; Mr. E. Candy, Mr. G. Smith.

Departures.—*Nov. 13.*—Frances Charlotte, Field, for the Cape.

16. Cornwall, Harris, for Bombay.

DEATHS.

Oct. 1. In camp, near Madras, of a fever, caught in visiting a hill fort, Lieut. Henry Pinson Hine, of the 16th N.I.

27. In camp, at Mooltye, Lieut. H. Bolton, 16th N.I.

29. In camp, West bank of Moossan river, Lieut. Jas. Anderson, of the Madras European reg.

30. At Ellichpore, Capt. Lieut. F. Lyne, 1st Light Cavalry.

Nov. 2. At Chicacole, Lieut. Col. Thos. Tichborne, 3d N. V. B.

17. At the Garrison Hospital, Serj. Wm. Lovell, H. M. 30th reg.

BOMBAY.

CIVIL APPOINTMENTS.

Dec. 3.—John Romer, Esq. to be 2d judge of the court of circuit and appeal.

Thomas Morris Keate, Esq. to be judge and magistrate of the city of Surat and town of Randier.

John A. Pope, Esq. to be mayor of Bombay, for the ensuing year.

GENERAL MILITARY REGULATIONS.

Nov. 17.—The right hon. the Governor in Council is pleased to direct that the service of European soldiers in the hon. Company's regts. under this presidency shall be considered to commence from the date of enlistment, and not of arrival in India, as has hitherto been the practice. When the date of enlistment be unknown, the service of the individual is to be considered as commenced from six months previous to his arrival in India.

Nov. 25.—The hon. court of directors having conveyed to the supreme government their intention to confer on their native army a strong and lasting mark of favour, in consideration of past services as well as with a view to encourage future exertions; and the right hon. the Governor in Council being impressed with a high sense of the devotion, fidelity, and distinguished gallantry which the native troops of this establishment have ever displayed in the service of the British government, qualities which have been pre-eminently manifested on the most trying occasions during the late war, have resolved to carry the munificent intentions of the hon. court into immediate effect by establishing a new and superior rank of native commissioned officers, to be denominated Subedaur and Syrang Majors, and by appointing colour havildars in the different corps of the army.

The situation of subedaur and syrang major, will not be considered as conferring any office, command, or superiority, in the corps or regiment to which they belong, differing from that of subedaur or syrang, the senior of whom they are only to be considered; but in the case of de-

tachments formed from different corps, and doing duty together, the subedaur or syrang major will have the benefit of his army rank, in like manner as with regard to brevet commissions among European officers.

A selection will be made for this distinguished rank by the Commander-in-chief, and it is to be understood that mere seniority without recorded acts of distinguished conduct in the field will establish no claim. Commissions will be granted by government on the recommendation of the Commander-in-chief setting forth the merits and claims of the individual to honourable distinction.

The subedaurs of the regular corps of native cavalry, infantry, and pioneers, and the syrangs of gun-lascars only are to be eligible for this promotion, unless in case of extraordinary conduct and bravery justifying a departure from all ordinary regulations.

The number of subedaur and syrang majors to be established at present is two for the cavalry, 22 for the infantry, one for the gun-lascars, and one for the pioneers.

It will be discretionary at all times with the Commander-in-chief, to fill up the whole or only a part of the regulated number, nor will it be required that every vacancy which may take place among the subedaur and syrang majors of the army should occasion a selection for promotion in the same corps in which the casualty occurs.

A brevet pay of 25 rupees per mensem is to be annexed to the commission of subedaur or syrang major in addition to his ordinary allowances as officer of a company.

The brevet pay of subedaur and syrang majors shall be continued to them after their transfer to the invalid or pension establishment; but with a view to prevent any laxity of conduct on the part of the native officers after attaining those ranks, the continuations of additional pay after transfer will depend on the recommendation of the Commander-in-chief.

Syrang majors to do the duty of syrangs with their companies, but to rank in the army with subedaurs according to the dates of their commissions.

The right hon. the Governor in Council will be ready at all times to take into consideration any acts of distinguished conduct on the part of subedaur and syrang majors which may be submitted by the Commander-in-chief, in view to confer such increased honours and rewards, as the nature of each case may seem to require, in accordance with the sentiments of the honourable court.

One havildaur of each troop and company of the corps of cavalry and infantry, to be appointed colour havildaur; under such rules for their selection with regard

to merit and qualifications as the commander in chief may please to direct.

The colour havildaur is to receive an additional pay of 2 rupees per mensem, and to be distinguished by the same badges as directed for the colour sergeants.

One troop serjeant major to be appointed to each troop of European horse artillery on the same additional pay as allowed for that rank in H. M. dragoons.

One brigade serjeant to be appointed in each comp. of European foot artillery on the same additional pay as allowed to colour sergeants in the European infantry.

One havildaur major to be appointed in each company of pioneers on the additional pay of 2 rupees per mensem.

Nov. 27.—The Bombay militia is to be disbanded from the 31st of next month.

POLITICAL APPOINTMENT.

Oct. 9.—Lieut. and Brevet-capt. Rob. Taylor, 3d N. I., to be assistant to the political agent in Turkish Arabia, stationed at Bussora, from the date of Surg. Colquhoun's leaving that place for England.

MILITARY APPOINTMENTS AND PROMOTIONS.

Oct. 1.—2d N. I., Lieut. J. Perrin to be lieut., vice Ambrose struck off.—Lieut. Pat. Hunter to be lieut., vice Seward promoted.—Cornet Edm. Sparrow to be lieut., vice Hancock invalided.

5th N. I.—Lieut. Thos. Baird to be lieut., vice Naylor struck off.—Lieut. J. A. Crosby to be lieut., vice Leckney, promoted.—Cornet Maurice Stack to be lieut., vice Barnwall, promoted.

9th N. I.—Lieut. Jno. R. Hughes to be lieut., vice Lugar, struck off.—Lieut. Adam Jellicoe to be lieut., vice Pedlar, promoted.

Sep. 30.—Mr. R. Colegate admitted assistant-surg. on the establishment.

The undermentioned cadets are admitted ensigns:—Wm. Hill Waterfield, Rob. Webb Smith, Edw. B. Wilkins, A. Dod, and Hum. Lyons.

Capt. Fearon to the charge and superintendence of the guards within the city of Poona, under the immediate controul of the collector and magistrate.

Oct. 16.—Promotions in consequence of the death of Major Eldridge on 7th instant.—H. C. reg. European Inf., Sen. Capt. W. Sandwith to be major, Capt. lieut. A. Forbes to be capt. of a company, and Lieut. and Brevet-capt. S. Hallifax to be capt. lieut.

Lieut. Thurnam, 1st 7th N. I. to be line adj. to Major Warren's detachment from the 15th instant.

Oct. 23.—Lieut. and Brev. capt. S. Hughes to be line adj. to the officer commanding at Severndroog.

Oct. 26.—Lieut. Baird, 2d bat. 5th N. I. to have the charge of the commissariat with the troops of this presidency in Can-

deish, Lieut. Wood, 2d bat. 7th N.I. to the charge of the commissariat at Ahmedabad, from the date of his receiving charge from Lieut. Stamper.

Capt. Laurie, Persian interpreter, to act as permanent Brig.maj. to the Brig.gen. till further orders, and placed in charge of the camp police.

Lieut. Sharpe, 1st. bat. 4th, to be permanent Brig.maj. to the Brig.gen. Capt. Laurie continuing to do the duty until his arrival.

Capt. Stover, Dep.commiss. of stores, to perform the duties of commissary during the absence of Maj. Hodgson on sick certificate.

In consequence of the appointment of Lieut. Joseph Laurie to be Adj. 1st bat. 2d N.I. Lieut. Otley, 6th N.I. to succeed to the adjutancy of the light bat.

2d N.I.—Capt. Lieut. Chas. Gray to be capt., and Lieut. and Prev. capt. C.B. James to be Capt. Lieut. vice Harcastle, deceased.

Capt. G. More having returned from England, whither he had proceeded with public despatches, is reappointed by the Hon. the Governor, his aid de camp.

Nov. 2. Poonah Subsidiary Force.—Capt. Sam. Hallifax to be Dep. adj. gen. in succession to Torrey, resigned.

The undermentioned cadets are admitted to the rank of ensigns :—Mr. W. Wilkie, Mr. C. H. Johnson, Mr. J. Forbes, Mr. W. F. Allen, Mr. M. M. Shaw, Mr. W. Twigg, Mr. F. Pelly, Mr. B. Kingston, and Mr. T. Graham.

Nov. 15.—H.M. 67th Capt. Colin Campbell to be Brig.maj.

Nov. 16.—Ensign I. Mathewson, H.M. 65th, to be Quarter.mast. to 1st Brigade I. vice Farquharson appointed Adj. to that regt. in the room of Ward deceased; Lieut. Terrington, 2d Lt. C. to be Hindoostance linguist to that bat. vice Lieut. Michie on furlough to England.

Nov. 30.—Commissariat department : Sub-conductor Wm. Clarke to be conductor in succession to Law deceased.

Lieut. Moore 9th N.I. to the charge of the commissariat department at Pallee.

Sub-assist. commissary Snodgrass to be assist. commissary in the southern division of Guzerat.—Sub-assist. commissary Dunsterville to succeed Capt. Snodgrass in the charge of the department at Poonah.—Lieut. Molesworth 1st 6th N.I., to be sub-assistant commissary in the Deccan.

Dec. 1.—Mr. Assist.surg. Coates Bell to succeed Mr. Hine as surgeon at Bagdad, and Mr. Assist.surg. Hall to be surgeon at Bushire, and Assist.surg. Dow, to the medical duties at Bussora; but not to proceed to those stations until so directed.

Dec. 3.—Lieut. Spratt, 2d bat. 2d. N.I. to continue in charge of the commissariat duties at Malwan.

FURLONGHS.

Oct. 7.—Capt. J. J. Barton, 2d bat. 4th N. I. to Europe for three years.

Oct. 9.—Surg. Gideon Colquhoun to England for three years.

Oct. 17.—J. Michie, 2d L.C. to England for three years.

Oct. 19.—Lieut.col. Imlack, to the presidency for one month.

Oct. 23.—The furlough to sea granted to Lieut. B. McMahon, 1st 8th N.I., 2d ult., is cancelled at that officer's request.

Nov. 15.—Capt. J. Lucas, 17th Madras N.I., to sea for six months.

Nov. 16.—Lieut. G. Jervis, engineer, to England for three years; Lieut.col. T. C. Harris, 2d bat. 4th N.I. to sea for six months.

Nov. 4.—Capt. F. Farquharson, 2d bat. 11th reg. N.I., to England for three years.

Nov. 27.—Capt. G. Litchfield, 2d L.C. to sea for six months, Maj. J. C. McClin- tock, 1st bat. 6th N.I., to sea, for six months. The furlough granted to Capt. J. W. Stokesly is extended to the end of Dec.

Mr. J. Hine, surgeon to the residency at Bagdad, to England for three years.

BOMBAY MARINE.

Nov. 10.—The pirates have appeared in considerable force off Porebunder, and the neighbouring coasts of Guzerat and Cutch, and plundered several of the trading boats. Immediately after this information reached the presidency, the Hon. Company's cruisers, Teignmouth and Ariel, put to sea in pursuit of the plunderers.—(*Bombay Courier*.)

Copy of a letter from Lieut. S. Powell, 5th Reg. N.I., to Major W. Gilbert, commanding Detachment of 1st Batt. 5th, dated 12th Nov.

"Sir,—I have the honour to report that yesterday, between the hours of twelve and one in the forenoon, when within about three miles of Porebunder, I perceived two large pattimars apparently bearing down for the purpose of attacking the boat in which I was aboard; on nearing, they proved to be two Joassmee pirates, and when within pistol-shot opened a smart matchlock fire, which was returned by me, and I am happy to add, that after three quarters of an hour, I succeeded in beating them off without any loss on my side. In concluding the report, I beg to say, that the whole of the sepoys behaved with the greatest coolness, and from the steady fire which was kept up by them, I am convinced that some casualties must have occurred on the side of the enemy, which was probably the cause of their not attempting to board."

The Teignmouth returned from her cruise on the coast of Guzerat, and brings the satisfactory account of the coast being clear of pirates. We trust that

some of our cruisers in the Gulf will fall in with them.

LOCAL AND PROVINCIAL.

On the 23d of Sept. Brig.gen. Sir John Malcolm gave an entertainment to all the officers of the cantonments at Mhow, in commemoration of the battle of Assaye. The banquet in which this entertainment was given, among other decorations, had a transparency of the Duke of Wellington; and a song written for the occasion was sung with great effect.—(*Bombay Courier*, Oct. 10.)

Nov. 14.—Yesterday afternoon, H. E. the commander-in-chief, with Lady Nightingall, left the presidency for Tannah, on a tour through the Concan, &c. His Exc. is also accompanied by Mr. Bell and Mr. Warden. We regret to learn that this tour is the forerunner of the final departure of Sir Miles and Lady Nightingall for England, as we understand that his Exc. purposes to proceed home early in the next year by way of Egypt. Sir M. and Lady Nightingall will carry with them the respect and esteem of the whole of this presidency. Her ladyship on Tuesday last gave a farewell dance and supper at Taralha, which was most numerously attended.

Dec. 2.—Gen. and Lady Nightingall, accompanied by Mr. Bell and Mr. Warden, landed yesterday morning, too early to have the customary honours paid to them. It appears they came from Poonah by the new road to Nagoo Tannah, and we are informed that the whole party have returned in excellent spirits, and their health improved by the genial temperature of the Deccan.

On Tuesday, Nov. 21, the hon. the Recorder and Lady Anstruther, embarked on board the H. C. cruiser Chancer for Surat. We understand that they return to Bombay about the 1st of January.

A matter of some importance to the natives of the presidency was decided in court on the second day of the present term. An action was brought by a Portuguese of the name of Leandro de Cruz, against John Joachim Marcellino de Silva, who it appeared was a native employed to draw bonds and other conveyances. The plaintiff's demand was for money had and received by the defendant, and the defence was a set-off for work and labour by the defendant in preparing certain conveyances, bonds, &c. Mr. Woodhouse contended on the part of the plaintiff that the defendant could not be permitted to recover, a compensation for a labour which he was incapable of performing; and he observed, generally, that almost all similar acts done by persons like the defendant, were illegal and improper. The advocate-general, in reply, admitted the principle of the argument,

and further stated, that the evil had indeed risen to such an alarming height that it was absolutely unsafe to vest money on landed security on account of the nature of the deeds. The court finally determined that the defendant could not be allowed any thing for drawing the conveyances, bonds, &c.—(*Bom. Cour.*)

Nov. 7.—The epidemic disease has considerably abated at this presidency. During the month of September, the casualties, according to the reports made to the magistrates, were—

Of the cholera morbus, males	184	} 302
... .. Females	118	
From other natural causes	449	

Bombay, Dec. 9.—The spasmodic cholera has made its appearance at Damaun, and at Allepee, yet the treatment of it is now so well understood, that our fears on this head are not very great. The official account of the deaths by this disease at the presidency, during the whole month of November, is only 57
And from other natural causes .. 443

SHIPPING INTELLIGENCE.

The ship Friendship, Capt. Horwood, belonging to this port, was totally lost on the south end of the Great Nicobar on the 1st August; but all the crew have been saved, the two brigs that had been dispatched from Prince of Wales Island for their relief having returned with them on the 30th August.

Dec. 9.—We have as yet heard nothing of the Barkworth, but trust she is on her way to this place, as we observe the Cornwall also is, for the purpose of being decked, we believe this latter ship, was built in Bengal only eight years ago.

The Timandra (free trader) will be dispatched Dec. 10, by the house of Forbes and Co.

Arrivals.—Oct. 3. Kusrovie, Waddington, put back from sea, with loss of top-masts.

8.—Mahomed Shah, Laws, from Bussorah, 27th Aug.—Passenger Mrs. Laws.

20.—Lovely Fish, Capon, from Bussorah 31st Aug. Bushire 20th Sept. and Muscat 9th Oct.—Passengers: Mr. Vertinair, lady, and family.

30.—Hannah, Heathorn, from Liverpool the 27th June.—Passengers: Thos. White, Esq. C. S. and his lady, Lieut. E. Searight, Bombay Marine,—Messrs. W. Allen, W. Wilkie, Thos. Graham, Wm. Twigg, Jas. Forbes, E. J. Pelly, B. Kingston, C. H. Johnson, Mich. Shaw, Cadets. Jos. Fawcett, Esq. free merchant. Mr. Neil McCormick, artist.

Rob. Quaile, from Liverpool 11th June and Gibraltar 10th July.

Batavia, Lane, from Port Jackson, New South Wales 16th July.—Passengers: Mrs. Lanib and Miss French.

Nov. 9.—Timandra, Baigrie, from England and Batavia.

26.—Johnny, Ballard, from Penang 14th Sept. and Point de Galle 6th Nov.—Passengers: Capt. Harwood and Mr. Bridou.

29.—Castle Forbes, Fraser, from London, 5th May.—Passengers: Messrs. John Forbes, J. P. Boswell, Thos. Marshall, John Harding, Chas. T. Elderton, Wm. Rollings, Wm. Fitzmorice, H. Thomas Newhouse, Wm. Keys, Cadets.—Mr. J. Hood, freemariner.

Dec. 7.—H. C. Extra ship Hy. Porcher, Capt. Austice; from Sauger Roads 6th Nov.

8.—H. C. Ship Fairlie, Capt. Ward; from Bengal 10th Nov.—Passengers: Lieut.-col. Ewart, H. M. 67th Mrs. and Master Ewart, Capt. Eckford, Master Eckford, Lieut. Lockwood, 89th. Cadets: John Lloyd, J. Scott, J. Thomas, T. Lechmere, Gen. Graham, individual trader. Weatherhead; from Bengal 9th Nov.

Dec. 8.—Fazel Karim, from Bussora 6th Nov. Touched at Bushire and Muscat. Passenger: Capt. A. Scott, 6th M.C.

Departures, Oct. 6.—Upton-Castle, Howell, for London.—Passengers: Capt. Goodfellow and family, Mr. J. Hunt.

7.—Po, Higgins, to Alepee and Calcutta.—Passengers: Mr. and Mrs. Stokes, Miss Wyse.

Departures, Oct. 10.—Malabar, Longlands, to Bussorah.—Passenger: Mrs. Longlands.

11.—Surat Castle, J. Walker, London.—Passengers: Capt. Barton, Mr. Watson, Mr. Harding, Mr. G. Mirth.

—Victory, Braithwaite, for London.—Passengers: Lieut. John Goodwin, 89th regt. Lieut. Wallace, 65th regt., Mrs. Anne Wallace and children; Mrs. Hinde and infant child.

—Samarang, Durant, for Liverpool.—Passenger: Mr. Papper.

14.—Nantais, Watier; for Nantz.—Passenger: Lieut. Birkett.

15.—Kusrave, Waddington; for the Persian Gulph.—Passengers: Maj. McLeod, Major Greehill, Capt. Sopit, Mr. Baboon.

25.—Harriett, Studd, for Calcutta.—Passengers: Mrs. Russel and Mr. Johnson.

Dec. 3.—Edward, Johnson, for London.—Passengers: Surg. Price, 17th lt. drag., Lieut. B. Cock.

4.—H. M. ship Eden, Lock, to the Persian Gulph.

—Hannah, Heathorn, to London.—Passengers: Mr. Evan, H. Baillie, Esq. and family; Mrs. Prendergast and family; Lieut. G. Jervis, engineers, Master H. Wade, Misses and H. Atkins, Master H. Barnes, Miss Matilda Hall, Miss Lydia Babinaton, Miss Mary Smith.

BIRTHS.

Sept. 17. At Kalra, the lady of Capt. Robertson, of a son.

Oct. 2. At Surat, Mrs. Nimmo, of a daughter.

4. At Poona, the lady of Lieut. col. G. R. Kemp, 2d bat. 1st grenadiers, of a daughter.

7. At Surat, the lady of the Rev. Wm. Pyrie.

26. The lady of Lieut. H. C. S. Waddington, Linguist to the 2d bat. 11th reg. N. I. of a daughter.

—At Fort George, Bombay, the lady of Lieut. col. Maxwell, H. M. 67th of a son.

29. At Broach, the lady of Chas. Shubrick, Esq. of a daughter.

Nov. 7. At the Presidency, the lady of Capt. Livingstone, of a son.

12. The lady of Capt. T. Dickinson, Engineers, of a daughter.

29. At Belmont, the lady of R. T. Goodwin, Esq. Civil Service, of a daughter.

MARRIAGES.

Nov. 8. Mr. W. Beck to Miss Jane Mason.

19. At St. Thomas's Church, Lieut. col. Barker Commissary General, to Matilda, youngest daughter of Thomas Norris, Esq. of Bombay.

24. Lieut. Thos. Stevenson, Artillery, and Dep. Commissary of Stores at the Presidency, to Anna Charlotte second daughter of Lieut. col. Johnson, C. B. Bombay Engineers.

Dec. 5. Lieut. col. Hessmann, Artillery, to Miss Isabella Glencairn Hawkins.

DEATHS.

Aug. 24. At Bussorah, on board the grab *Lovely Fish*, Mr. Hen. Chas. Vanderind, chief officer of said ship.

Sept. 20. At Ellichpoor, of the cholera morbus, Capt. Munro, 7th cav. M. E.

28. At Secroor, Capt. Michael Harcastle, 1st, 2d bat. B. N. I.

Oct. 2. At Broach, Lieut. Wm. Kendall, H. M. 47th.

7. At Poona, Maj. J. W. Eldridge, Commanding Officer Bombay European reg.

9. At Bombay, Capt. T. Troncoe, of the country service. Capt. Troncoe is said to have commanded a ship belonging to Chibhy of Surat, in the year 1777; before that period, he was a lieutenant in Adm. Vernon's fleet. He lost his life by falling into a tank, at the supposed age of 70.

16. At Hyderabad, the infant daughter of Hen. Russell, Esq. aged 3 months and 14 days.

23. At Cambray of a fever, the lady of Capt. H. A. Hervey, Barrack Master N. D. G.

23. At Nadapoor, Lieut. Sam. Spencer Cates, 2d bat. 3d N. I.

—On board the *Ann*, at sea, Lieut. Macdonald, H. M. 65th.

25. In Gen. Smith's camp, Lieut. and Adj. Ward, H. M. 65th.

25. In camp at Nagpore, of a malignant jungle fever, Cornet E. Bannerman, 6th M. C.

31. Of the cholera morbus, Mr. Conductor Geo. Law, of the Commissariat Department with Gen. Smith's Field Force, camp Malwee.

4. Lieut. Hen. C. S. Waddington, 1st bat. 11th N. I. son of the late Lieut. gen. Stafford Waddington.

17. At Surat, Dav. Lamb, Esq. M. D. Assist. surg. 2d bat. 3d reg.

20. Mr. Rich. Thos. Perriman, Clerk in the Treasury Department.

21. Lieut. Thos. Arrow, H. M. 67th.

24. At the village of Bajepoor, Assist. surg. Gen. Sharp, 9d bat. 5th B. N. I.

30. Mr. Sam. Shipman, painter.

Lately in Kandesh, Capt. Colin Campbell, of H. M. 67th, Brig. maj. to Col. Huskisson.

PROVISIONAL GOVERNMENT IN THE DECKAN.

On the 5th Nov., the first anniversary of the battle of Guiness Kund, a splendid entertainment was given by the Hon. Mountstuart Elphinstone, to commemorate the victory and the brave detachment which achieved it. The company assem-

bled in the saloon, and on dinner being announced, repaired to a splendid suite of tents elegantly fitted up, where the tables were most superbly laid out; and upwards of 60 persons sat down to a sumptuous dinner: the band of the European reg. and 2d bat. of grenadiers (both of which corps had shared in the glories of the day) being in attendance.

We have heard, with much pleasure, of the high compliment paid the heroes of Corygaum, by the most noble the Governor-gen. in council, in voting that a monument should be erected on the spot, at the public expense, in commemoration of that glorious and most unequal contest, and handing down to posterity the bright example of the officers and men who fell therein, by recording their names, with a suitable inscription, on the monument, in English, Persian and Maharratta.—(*Bom. Cour.* 14 Nov.)

CEYLON.

MILITARY APPOINTMENTS.

General Orders, 21st Oct.—The commander of the forces is pleased to grant Col. Young, commanding the royal artil. in Ceylon, and commandant of Colombo, leave to proceed to England, in consequence of the colonel's desire, and of the appointment of Lieut.col. Watson, to succeed to the command of the royal artil. in the island, having been notified to the Lieut.gen.—The commander of the forces in announcing to the army the departure of Col. Young, fulfils a gratifying duty, in expressing his public approbation of that officer's zealous and active services, during the period of his command in Ceylon, and requests the colonel to accept his cordial good wishes for a safe voyage and future success.—On Col. Young leaving Colombo, the command of the garrison and its dependencies devolves on Brig. Shuldham as senior officer, to whom all reports are to be made, and who will be pleased to direct the details of the garrison duties of Colombo, until an officer is specially appointed commandant.—Capt. Bates of the royal artil. is appointed to command the royal artil. at Colombo, and at the depending garrisons, on Col. Young's departure.—The command of the royal artil. in the Island will devolve on Brev.maj. Skinner, who will however remain at Trincomalee.

From the London Gazette.

73d Regt.—Lieut.col. Wilbraham Edwards from half-pay of the regt. to be Lieut.col. vice Andrew Geils, who exchanges.—Geo. Hankey Smith to be Ensign by purchase, vice Mills appointed to the Royal York Rangers.

1st Ceylon Regt.—Assist.surg. John Houston, from half-pay of the 3d Ceylon regt. to be Assist.surg. vice Kennedy, killed.

Asiatic Journ.—No. 41.

LOCAL AND PROVINCIAL.

It is with sincere concern that we have to notice the deaths of several of our officers from the effects of fatigue, combined with the climate, just as their bravery and perseverance were about to be crowned with the full attainment of success. The following valuable and distinguished officers have fallen victims to sickness. Capt. Langton and Jones, and Lieut. Hatherly, H.M. 19th regt.; Lieut. Crutwell and Surg. Hooper, H.M. 83d regt.; Maj. Coxon, Capt. Gray, and Lieuts. Layton and Green, of the 1st Ceylon regt.; Lieut. Tranchell and Barrier, of the 2d do.; Lieuts. T. Hogg and Pollington, of the 3d do.; and Lieut. Roberts, of the Sepoy Invalids.

Colombo, 26th Oct.—Col. Young left this garrison under a salute of 11 guns, on his way to Point de Galle, there to embark on H.M.'s ship Towey for England.

Sept. 19.—The new works at Paranagam are in great progress, several hundred of the natives continually assisting; cattle are collected in abundance, and grain enough for six months' consumption of 200 men.

EXECUTION OF ELIAPOLA.

On the 27th Oct. Ellapola Maha Nilcme suffered the sentence of death awarded against him by a court martial on the 17th. The judgment was, that he should be hanged; but on his petition, the sentence was commuted to decapitation, the mode of inflicting capital punishment on Kandyan chiefs under the ancient government, although it was then usually preceded by the most cruel and lingering tortures. The prisoner was conveyed to the place fixed for the execution, near the Bogunbera Tank outside the gate leading to Colombo at eight in the morning, by the whole of the troops off duty, commanded by Maj. Baylay, who superintended this awful duty. He conducted himself with the greatest firmness, and after the warrant was read in English and Chingalese, knelt down, and fixing his closed hands on the ground, bent his head forward to receive the fatal stroke, which was inflicted by a man of the cast appropriated for such executions, with a sharp Maharratta sword. The first blow cut deep, and deprived the victim of all sensation, but was not conclusive, and the sword having broke in consequence, as was discovered by a flaw on the back of the blade, rendering the severing the head completely from the body a longer act than was to be desired, during which, however, only one convulsive movement evinced life to remain in the body of the prisoner. The execution was witnessed by a numerous concourse of spectators, among whom were observed the priests

of the temple on the hill near the castle. After the crowd dispersed, the body was buried by the orders of government, the family of the deceased refusing to interfere, and himself having expressed a wish that it should be left a prey to the dogs, as would have taken place under the former despotism. (*Ceylon Gaz.* Oct. 31.)

In the house occupied by one of the principal rebel chiefs (Kiwalgedera) an Ota was found addressed to him by Hapitagamma, of which we shall give a translation, because it shews in strong colours the desperate situation to which the writer conceives himself to be reduced. "Our country is entered on all sides by the English with large bodies of the people from Quva, who will kill us and destroy our property. All the other countries have submitted; we must either collect our people, and fight the English, or take poison. Whatever you do, I will follow your example; be quick and decide, for we cannot long escape being taken by the English."—(*Ibid.*)

SHIPPING INTELLIGENCE.

Arrived at Trincomalee, Oct. 7, H. M.

ship Eden, Capt. Lock, from Plymouth 9th June, Rio Janeiro 6th Aug.—Passengers: Lieut.col. Dunkin, H. M. 34th reg.; Lieut.col. Mansel, H. M. 53d reg.; Capt. Dormer, ditto; Chas. Carey, Esq. Bengal civil service.

BIRTHS.

May 15. At Colombo, the lady of F. J. Temple, Esq. of the Ceylon Civil Service, of a son.
Sept. 18. At Colombo, the lady of T. Eden, Esq. Vice-Treasurer, of a daughter.
28. At Colombo, the lady of Lieut. Cruttwell, late of H. M. 23d reg. of a son.
28. At Colombo, the lady of Surg. W. J. D. Parker, H. M. 19th reg. of a daughter.
30. At Barbervyn, Mrs. P. L. Vanderstraeten, of a daughter.
Oct. 7. At Colombo, the lady of W. J. Vanderstraeten, Esq. of a son.

MARRIAGE.

Oct. 29. At Burleigh-hill, near Colombo, Lieut. R. Woolfe, H. M. 59th reg. to Anna Maria, eldest daughter of G. Burleigh, Esq. surgeon, 3d Ceylon reg.

DEATHS.

Sept. 13. At Hambantotte, Lieut. Layton, H. M. 1st Ceylon reg.
17. At Batticaloa, Lieut. W. Tranchell, H. M. 2d Ceylon reg.
Oct. 1. At Alipoot, Lieut. Chas. Barbier, H. M. 2d Ceylon reg.
20. At Badulla, Capt. M'Laine, H. M. 66th reg.
— At Trincomalee, Mr. Isaac Day, Clerk, R. N.
27. At Alipoot in Ouva, Major Coxon, H. M. 1st Ceylon reg.

HOME INTELLIGENCE.

EAST-INDIA HOUSE.

March 31.—A Special Court of Proprietors was held for considering the resolution of a Court of Directors adopted on the 10th ultimo, granting an annuity to the Marquis of Hastings out of the territorial revenues of the Company, when after a debate, of which a report at length is given above, p. 517, the further discussion of the subject was postponed to the 5th of May.

Same day a Court of Directors was held, when the following commanders took leave of the court, previous to departing for their respective destinations, viz. Mr. Campbell, for Madras and Carnatic, and Mr. Manning, for Madras and Carnatic; for Madras and Bengal, Mr. S. Timins, Bridge-water; G. Richardson, Marquis of Ely; and R. Locke, Larkins; for St. Helena and China, A. Lindsay, Kellie Castle, W. Youngblood, Lord Castlereagh; for St. Helena, Cornwall; G. Tennant, Apollo; and W. Hamilton, Marilla; for China direct.

April 2.—The dispatches were closed, and delivered to the pursers of the Marquis of Ely and Larkins; for St. Helena and China.

April 3.—The dispatches were closed and delivered to the pursers of the Marquis of Ely and Larkins; for St. Helena and China.

14.—A ballot was taken for the election of six directors in the room of Jacob Bonanquet, Esq., Joseph Cotton, Esq., Edward Parry, Esq., Thos. Reid, Esq., Wm. Wigram, Esq., and Wm. Taylor Money, Esq. who go out by rotation. At six o'clock the glasses were closed and delivered to the scrutineers, who reported, at half past seven, that the election had fallen on

Robert Campbell, Esq. 480
Alexander Allan, Esq. 464
Samuel Davis, Esq. 461
David Scott, Esq. 461
Hon. Hugh Lindsay 460
John Morris, Esq. 454

14.—A Court of Directors was held, when the thanks of the court were voted unanimously to James Pattison and Campbell Marjoribanks, Esqrs. chairman and deputy chairman, for their zeal and attention to the Company's interest during the last year.

15.—A Court of Directors was held, when the new directors elected yesterday took the oath and their seats. Campbell Marjoribanks and George Abercrombie Marjoribanks, Esqrs. were chosen chairman and deputy chairman for the year ensuing.

16.—Yesterday the dispatches were closed, and delivered to the pursers of the Marquis of Ely and Larkins; for St. Helena and China.

LIST OF THE DIRECTORS

OF THE

UNITED COMPANY OF MERCHANTS OF ENGLAND

TRADING TO THE EAST-INDIES.

FOR THE YEAR 1819.

CAMPBELL MARGRIBANTS - Esq. (Chairman) 3, Upper Wimpole Street.
GEORGE ABERCROMBIE ROBINSON, Esq. (Deputy) 50, Pall Mall.
Hon. William Fularton-Thomstone, 2, Upper Harley Street.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80																				

April 21.—A court of proprietors was held by adjournment for considering a resolution of the court of directors granting a compensation to Mr. Jas. Wilkinson. After a very long discussion, several propositions for a compensation by granting some differing greatly in amount were negatived, when the court adjourned, *sine die*. 1881

EXTRACTS FROM THE LONDON GAZETTE.
 February 5. — The Prince Regent has been
 pleased to appoint, in the name and on the
 behalf of his Majesty, Harcourt Almon
 Esq. to be Chief Justice of Ceylon, in lieu of
 Richard Odger, Esq. to be Puisne Judge
 of the same Court.
 Harcourt — 04

Ministry at the court of Persia, to
bring the litigation of Shekhanian to the
Ambassador Extraordinary from His Ma-
jesty the King of Persia.

CONTINENTAL NOTICES.
Paris, April 27.—The king has sent to the Persian Ambassador, for his sovereign, a chest of arms, composed of muskets, pistols, and swords, from the royal manufactory of arms at Versailles.

Paris, March 31. — Yesterday afternoon, the king, seated on his throne, with the princes and princesses of his family, received in public audience the Russian ambassador. Three of the royal children, shown by each parent, were

led him to the palace. The ambassador was preceded by persons of his suite, bearing the presents sent by his sovereign to the king. Regiments of cavalry and infantry were drawn up in the court of the Thuilleries. The ministers, a considerable number of the members of both chambers, the marshals, numerous generals, and various other personages of distinction, were assembled in the hall of audience. The Marquis Dessolles received his Excellency at the entrance of the gallery Diana, and conducted him to the foot of the throne. The ambassador saluted his Majesty; the king returned his salutation, and then covered his head. His Excellency offered as presents, six shawls, a scimitar, which formerly belonged to Ismael, one of the most valiant sovereigns of Persia, and a precious stone, affirmed to be a panacea for all complaints. The ambassador addressed the king, the substance of which was, that his sovereign prayed for the continuance of his dynasty." His Majesty replied, "that he was sensible of his kind wishes, and that he thanked the Emperor of Persia for the choice of his ambassador." After making a profound reverence, which was returned by the King, his Excellency withdrew.

ARRIVAL OF THE PERSIAN AMBASSADOR.

Dover, April 25.—About three this afternoon, H. M. schooner Pioneer arrived in the Roads, and shortly after the boat belonging to the customs put off from her under salute. She had on board the Persian ambassador and suite, who on landing were greeted with another salute from the guns at the heights. There was an amazing concourse of people assembled on the beach, and the novel scene of the arrival of ten or a dozen persons, habited in silks and turbans, with daggers and long beards, attracted the attention of the inhabitants, whose curiosity had been raised to the highest pitch by the different accounts of the beauty of the fair Circassian. A coach had been provided at the water's edge, to carry his Excellency and suite to the inn. The crowd followed to Wright's hotel nearly as fast as the carriage, it being reported by some that the fair female was in a mask, under the habit of a male attendant, whilst others stated that she would not be landed till the middle of the night. In about half an hour, however, after the arrival of the first boat, a second boat came into the harbour, and landed the Circassian Beauty. She was attended from the schooner by Lieut. Graham, of the previous service, and two black eunuchs. She was scarcely seen; for the instant she landed she was put into a coach which conveyed her to the inn. She had on a hood, which covered the upper part of her face, and a long silk shawl, secured the lower part of her face, and thus she was observed to have

fore her eyes, which are truly beautiful, and part of her forehead, were the only parts of her beauties that could be seen. She is of the middle stature, and appeared very interesting. Her look was languid from illness, arising from a rough passage. She was conducted to a bedroom on reaching the inn, but no one was allowed to attend her but the eunuchs.

April 27.—The Persian ambassador, with his fair Circassian and suite, arrived this afternoon, about 5 o'clock, at the residence engaged for him in Charles-street, Berkeley-square.

MISCELLANIES.

Funeral of Capt. Dalrymple.—It having been reported that the body of the unfortunate Capt. Dalrymple, commander of the Cabalva, wrecked on the Cardagos shoal, had been found, we are enabled to state that this is incorrect; and it may afford some consolation to his numerous relatives and friends to know, that his remains were discovered and interred with every solemnity, on the island of Cardagos. The officers of the Magicienne, a party of marines, and 45 men, attended the mournful ceremony, and the funeral service was read by Capt. Purvis, of the Magicienne. The figure-head of the Cabalva (a Druid) with a suitable inscription carved on it, has been set up, to mark the spot where his remains are deposited.

LONDON MARKETS.

Tuesday, April 27, 1810.

Cotton.—The considerable failures in the Cotton trade, and the promptness for the late East India sale, had the effect last week of further depressing the prices of India Cotton; Surats may be stated at 3d and 1d. Bengals at the decline of 2d per lb., the latter rather enquired after, but few sellers at the reduced price.

Coffee.—The demand yesterday greatly revived, though no extensive sales have yet been reported; the request appears particularly directed to East India descriptions and to Foreign Coffee, which have fallen more in proportion than the other qualities; Cheribon may be quoted 105s., St Domingo 98s. a 102s., Brazil 98s. a 102s. An express reached the City this forenoon, bringing accounts from Rotterdam up to the evening of Saturday; the prices of Coffee had advanced to 7s. or 8s. per cwt.; not the immediate effect of speculation, but on account of large orders being received from Germany, and it was understood that the dealers in the interior were entirely out of stock.

Sugar.—This important article of trade is likely to undergo a considerable alteration as to duty; it is well known that the import duty varies according to the aggregate average inserted quarterly in the Gazette; the market has been for a month or time so exceedingly depressed, and the general prices at a reduction so considerable, that there is now a very probability of a reduction of the import duty; the present duty on West India British Plantation Muscovades is 30s. per cwt.; the average will be taken on the 31st proximo, and from the late decline in the prices, we think there is every probability of the duty being reduced to 25s. if not to 20s. per cwt.

Rice.—There is a very considerable revival in the enquiry after Rice; Carolina has been sold at 30s. duty paid, and 30s. for a parcel, to which there is also a great demand for the same kind of descriptions.

Wool.—The market for the late arrivals of wool, and the demand for the same, is very active; the prices are generally higher than last week, and are expected to be so.

**BIRTHS, MARRIAGES, AND DEATHS,
HOME LIST.**

Information respecting Births, Deaths, and Marriages, in families connected with India, if sent under cover, post paid, to Messrs. Black and Co., Leadenhall Street, will be inserted in our Journal free of expense.

BIRTHS.

May 25. In Montague-place, Russell-square, the lady of Capt. Forrest, of a son.
31. At Cheltenham, the lady of Capt. Flint, R.N. of a son.

Apr. 9, Good Friday. At Highgate, of a daughter, the lady of Capt. Langslow, late of the Bengal army, her fourth child; the eldest is a native of Africa, the second of Asia, the third of America, and all born within the last four years and a half.

Same day. At Huntingdon, the lady of Christopher Biden, Esq. of the East-India Company's service, of a son.

MARRIAGES.

Mar. 27. At Cheltenham, Capt. Thos. Alexander Cowper, of the Hon. East-India Company's Bombay Engineers, to Charlotte, second daughter of David Maitland, Esq.

— At Dinglass House, in Scotland, Henry Harvey, Esq. of the Madras army, to Lady de Lancy, widow of the late Sir Wm. de Lancy.

29. At Brae House, Capt. Robt. Campbell, of the Hon. East-India Company's service, to Jane Campbell, only child of the late Mr. Archd. Campbell, writer, in Edinburgh.

30. At St. Mary's, Islington, Thos. Clarke, Esq. surgeon, of Lincoln's-Inn-Fields, late of the Hon. East-India Company's service, to Sophia, fifth daughter of the late Robt. Stanton, Esq. of Islington-green.

31. At St. Nicholas Church, Rochester, by the Rev. Dr. Law, Archdeacon of that place, Lt. Col. C. W. Pasley, of the Royal Engineers, to Miss Martha Maria Roberts, second daughter of the late Howland Roberts, Esq.

April 11. At St. James's Church, by the Very Rev. the Dean of Canterbury, Capt. A. C. H. Lamy, 8th reg. of Bombay N. I. to Augusta, daughter of C. G. Gray, Esq. of Stratton in the Fosse, Somerset.

DEATHS.

In Nov. last, in China, on board H.C. ship, Scaley Castle, in the 20th year of his age, Francis, youngest son of Mr. Nicholson, of Charlotte Street, Portland Place.

Feb. 12. At Knock of Kincurn, Strathspey, Capt. John Stuart, 55d reg. of foot. His death was occasioned by a lingering indisposition, from the effects of the wounds and contusions he received at the storming of Fort Celliger, in the East Indies, on the 2d February, 1812; when leading the grenadier company up to the breach he was precipitated down the perpendicular rock on which the fort is built, apparently dead; in his death, at the early age of 33 years, his country, which he had served in the 2d and 55d regiments, with the merited approbation of his superior officers for 16 years, has sustained a heavy loss, but to his aged parents it is irreparable.

Mar. 25. At Bicklinghall, in Suffolk, aged 60 years, Mr. Zachariah Poole, who accompanied Lord Amherst's Embassy to China, as the Assistant of Mr. Abel, Surgeon and Naturalist.

April 14. In Somerset-street, Portman-square, Lieut. Col. F. Warden, of the Bombay Military Establishment.

At Walthamstow, in consequence of a fall from a gig, Richard, ninth son of Sir Robt. Wigram, Bart.

At Walthamstow, in consequence of a fall from a gig, Richard, ninth son of Sir Robt. Wigram, Bart.

Bristol's Cork, which was founded on a sale of wind, and thus, at the early age of 20 years, his country is deprived of a brave soldier, and society of six respectable and amiable individuals. He was the third son of the late Chas. Armet, Esq. a gentleman of fortune near Congleton, in Cheshire, and nephew of Sir Joseph Scott, Bart. of Great Mar, in the county of Stafford.

INDIA SHIPPING INTELLIGENCE.

Arrivals.

Mar. 28, Deal. Apr. 1, Gravesend, Earl of Halsburgh, Jameson, from China, 10 Nov. and St. Helena, 7 Feb.

— Deal. 31, Gravesend, Lady Lushington, Dorrer, from Bombay, 18 Oct.

30, Gravesend, Surat Castle, Walker, from Bombay.

Apr. 2, Gravesend, Minerva, Bell, from Batavia, 5, Off the Edystone, 9, Deal. 14, Gravesend.

Hannah, Heathorn, from Bombay, 5 Dec.

12, Portsmouth. 18, Gravesend, Supply, Baynes, from Batavia, 3 Nov.

14, Cowes, Bengal, Ansley, from China, 31 Oct.

19, Weymouth. 21, Gravesend, Susannah, Wallis, from the Cape, 23 Jan.

— Liverpool, Robt. Quayle, Brown, from Bombay, 27 Nov. and St. Helena, 7 Feb.

21, Deal. 23, Gravesend, Buckinghamshire, Adams, from China, 5 Dec. and St. Helena, 18 Feb.

— Cove of Cork, Cumbrian, Brownrigg, from the Cape of Good Hope.

— Cove of Cork, Mary Ann, Warrington, from Bengal.

— Cove of Cork, Lonach, Driscoll, from Bombay.

22, Gravesend, Timandra, Baigrie, from Bombay, 11 Dec.

Departures.

Apr. 1, Gravesend, Lord Wellington, Anderson, for Batavia.

2, Falmouth, Swallow, Phillips, for the Cape of Good Hope.

3, Plymouth, Rose, M'Taggart, for Madras and Bengal.

— Plymouth, Minerva, Mills, for Madras and Bengal.

4, Gravesend, Briton, Brodie, for the Isle of France.

— Cowes, Warren Hastings, Rawes, for China.

— Cowes, General Harris, Welstead, for St. Helena, Bombay, and China.

— Cork, Prince of Orange, Silk, for Ceylon.

9, Gravesend, 13, Deal. 22, Portsmouth, Cornwall, Wilson, for China.

11, Gravesend. 15, Deal. 22, Portsmouth, Surrey, Aldham, for Madras and Bengal.

— Gravesend. 15, Deal. 22, Portsmouth, Tennant, for China.

— Gravesend. 15, Deal. 22, Portsmouth, Matilda, Hamilton, for China.

13, Gravesend, Bridgewater, Timble, for St. Helena and China.

— Gravesend, Larkins, Locke, for St. Helena and China.

— Gravesend, Kellie Castle, Lindsay, for China.

14, Gravesend, Marquis of Ely, Richardson, for St. Helena and China.

— Gravesend, Lord Castlereagh, Youngblood, for China.

17, Gravesend, Canino, Barnard, for Madras and Bengal.

18, Gravesend, Thomas Grenville, Mauping, for Madras and Bengal.

19, Gravesend, Catharine, Knox, for Madras and Bengal.

20, Portsmouth, Pilot, Dean, for Ceylon.

21, Portsmouth, Pilot, Dean, for Ceylon.

22, Portsmouth, Pilot, Dean, for Ceylon.

23, Portsmouth, Pilot, Dean, for Ceylon.

24, Portsmouth, Pilot, Dean, for Ceylon.

25, Portsmouth, Pilot, Dean, for Ceylon.

26, Portsmouth, Pilot, Dean, for Ceylon.

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28, Portsmouth, Pilot, Dean, for Ceylon.

29, Portsmouth, Pilot, Dean, for Ceylon.

TIMES appointed for the EAST-INDIA COMPANY'S SHIPS of the SEASON 1818-19:

[illegible]

Daily Prices of Stocks, from the 26th of March to the 25th of April, 1819.

1819. Mar. 26	27	29	30	31	Apr. 1	2	3	5	6	7	8	10	14	15	16	17	19	20	21	22	23	24
Bank.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
5 p. Cent.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
5 p. Cent. Reduced.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
5 p. Cent. Consols.	74½	74½	74½	74½	74½	74½	74½	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75
4 p. Cent. Consols.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
4 p. Cent. Consols. 1780.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Navy 5 p. Cent.	104½	104½	104½	104½	104½	104½	104½	105	105	105	105	105	105	105	105	105	105	105	105	105	105	105
Long Annuities.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Irish 5 p. Cent.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Imperial 5 p. Cent.	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½	73½
3 p. Cent.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Omnium.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
India Stock.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
South Sea Stock.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Old So. Sea Annuities.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
New Ditto.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
4 p. Cent. Bonds.	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½	24½
2d per Dy. Exchanger.	4.6d	4.5d	5.7p	7.5d	5.7d	3d par	3d par	3d par	3d par	3d par	3d par	3d par	3d par	3d par	3d par	3d par	3d par	3d par	3d par	3d par	3d par	3d par
Consols for Account.	74½	74½	74½	74½	74½	74½	74½	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75
Lottery Tickets.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
1819. Mar. 26	27	29	30	31	Apr. 1	2	3	5	6	7	8	10	14	15	16	17	19	20	21	22	23	24

E. EYTON, Stock Broker, 2, Cornhill, and Lombard Street.

In the Press,

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### IN TWO PARTS.

In the First, the Authors are arranged alphabetically, and of each, as far as possible, a short Biographical Notice is given, to which is subjoined a Chronological List of his Works, their various Editions, Sizes, Prices, &c.; and in many instances the character of the Work.

In the Second, the Subjects are arranged alphabetically, and under each the Works, and principal parts of Works, treating of that Subject are arranged in Chronological Order. This Part also includes the Anonymous Works which have appeared in this country.

By ROBERT WATT, M. D.

*"The chief glory of every people arises from its Authors." Johnson.*

*"Catalogorum accuratio ita necessaria est Polyhistori et, mapperum Geographicarum Cognitio Peregrinatio." Murhof.*

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GLASGOW:

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AND PUBLISHED BY LONGMAN, HURST, REES, ORME, AND BROWN, LONDON, AND
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Of this Work Dr. W. published a Prospectus in February last, which, being very generally sought after, was soon exhausted, and required to be reprinted in May. Both editions are now out of print. In this Prospectus a very ample specimen of the Work was given, accompanied with such explanatory observations as were deemed necessary to make the plan understood.

The First Part, or Division of the Work, contains the Names of upwards of Forty Thousand Authors, and of each, as far as possible, a short Biographical Notice is given. It serves, therefore, as a concise but comprehensive Biographical Dictionary, containing not only all the names to be found in other Biographical Dictionaries, but many thousands more derived from other sources. The lists of their Works, too, are much more ample, their titles are given at length, and their various editions, translations, and subsequent improvements are most minutely noticed. It thus forms a Catalogue of Books more minute, and vastly more comprehensive, than is to be met with in this or perhaps in any other language. Great attention has been paid to the earliest printed Books, both at home and abroad, not only arranging them, as has been done by Ames, Herbert, Dibdin, and others, under their respective Printers, but likewise under their respective Authors. By great economy and method, Dr. W. has condensed into this part of his Work the substance of all that has been published with regard to the early history of Printing. The account given of the Greek and Roman Classics, and other more modern Works which have been regarded as classical, is much more comprehensive than any thing which has been printed in this country. With each is given an account of all the English translations, whether printed separately or forming a part of other Works, and likewise the principal translations which have been made in the other modern European languages. The account given of British Writers and their Works is universal, embracing every description of Writers and every branch of human knowledge. The selection from foreign Authors forms a considerable part of the Work, so that the *Bibliotheca Britannica* serves

not only as a catalogue to **British Literature**; but also to the **Literature of every other nation**. This Part, besides containing a full and correct list of every Author's separate Works, contains also the titles of such detached Papers as he may have contributed to Transactions, Memoirs, Journals, and other periodical publications.

The Second Part, or Division of the Work, is a minute Index to the First. In this Part the Subjects are arranged alphabetically, and under each all the Works, and principal parts of Works, treating of that Subject are arranged in Chronological Order, so as to form a sort of annals of what has been written on every subject, from the first publication to the last. Like a map, it brings the whole under the eye at once. But this Part, besides serving as a minute Index to the First, includes also a very complete list of all the anonymous publications which have appeared in this country. These are inserted according to their respective subjects and dates, with a reference to their publishers, or the libraries in which they are to be found. There is, therefore, no subject, with regard to which any thing has been written, that may not be as easily found as a word in a dictionary, and the successive publications regarding it as readily come at as the different significations of a word. The chief novelty of the Work consists in this Part. By a peculiar mode of reference, though an Author's works be referred to from a hundred places in the Second Part, his name and other particulars respecting him and his Works require to be given only once. A single letter, with one, two, or three figures, is all that is necessary at each reference. While the *BIBLIOTHECA BRITANNICA* thus differs in its construction from every Catalogue that has appeared, its plan is so simple that every person, however small his pretensions to learning may be, can understand it at once. It presupposes no knowledge of any subject beyond its name. It is equally intelligible to the student on the first day of his study as on the last. The labour of learning generally consists not less in discovering where the best information is to be found, than in treasuring it up. To the mere tyro it will point out in an hour as many Authors, on almost any subject, as the most learned could hope to discover in half a lifetime.

Such a Work, if well executed, must supply a most important desideratum in the Literature of our country. The opinion formed from the Prospectus and Specimen has been most favourable. The list of Subscribers is pretty numerous, and respectable in the highest degree, including among the greatest literary names in the nation, the Universities of Edinburgh and Glasgow, and the Chancellors of the two Universities of England. The Typography will be a most favourable specimen of the highly improved state of that art in Great Britain. The Type is the same as is used in this Prospectus. A sheet contains above one hundred thousand letters, which is equal to the matter of six sheets printed in the ordinary manner of modern publications. The First Part, consisting of thirty-five sheets, or 250 pages, is now in the Press and will be published in February, price ONE GUINEA. This is estimated to be about one-sixth of the whole. The Work, when completed, will form two handsome quarto volumes, of from 8 to 900 pages each. A Part will be published every three or four months till the whole is completed. As the number of Subscribers which have come to hand since the Work was put to press is much greater than was expected, Noblemen, Gentlemen, Public Libraries, and others, to prevent disappointment to themselves, will do well to send in their names as early as possible to the Author, the Publishers, or their respective Booksellers, as the number of copies remaining, after the Subscribers are served, will not be great; and, from the enormous expense of publication, there is not the least chance of a second edit on being undertaken for many years. The Plan of the Work, as now printing by Messrs. A. & J. DUNCAN, Printers to the University of Glasgow, is somewhat different from the specimen given in the Prospectus. Among other improvements, each sheet will contain about one-eighth part of more letter press than the Specimen, and the mode of reference is rendered still more plain and simple. From the delay, expense, and trouble, attending the printing of large paper copies, that part of the plan is abandoned.

December 1st, 1818.

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# THE ASIATIC JOURNAL

FOR

JUNE 1819.

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## ORIGINAL COMMUNICATIONS.

### BIOGRAPHIC NOTICE OF COLONEL POLIER.

*(Concluded from page 471.)*

It has been mentioned in the introduction, that from the point of time when the Colonel returned to Europe, the conduct of the narrative is taken up by the Canoness Polier, who is designated when it speaks in the first person.

The Colonel was always anxious to communicate his literary treasures ; and on his journey to Switzerland, as he passed through Paris, he left several manuscripts, both Persian and Arabic, in the hands of the celebrated orientalist Mons. Langles. With equal liberality, his collection was always accessible to men of letters ; and during the remainder of his life his greatest pleasure was, that of placing his library at the disposal of the public and his friends. The proofs of this have, however, been too frequently before the public to need particular detail here ; and it is only incumbent on me to explain the circumstances under which his manuscript collection on the subject of Hindu Mythology, which form the substance of the present publication, were entrusted to my care.

I had been engaged for some time in the translation of an elegant German work at the particular desire of several learned

tarnished by an association with the French revolution, of which they were at once the agents and the victims ; when being compelled to retire to Lausanne, I met with the celebrated historian Gibbon, who had taken up his residence at the same place. That great man condescended to become my Aristarchus, and in his library and learning I found all the assistance I could require for the completion of the task I had undertaken, in giving a history of philosophy from its earliest origin to its present state.

A history of this nature is, in fact, a history of the progress of the human mind, and is consequently intimately allied to the history of our race. It is in Asia, amongst the people termed barbarians by the Greeks, that we must seek for the original ideas which formed the basis of later systems of philosophy, even amongst the Greeks themselves, and which descended from them to all the civilized nations of the western world ; and the more minutely we examine the theogony, cosmogony, or mythology of the Orientals, the more thoroughly satisfied must we feel, that whatever local and occasional modifications of their systems may have occurred, the notions that they convey have been the predominate beliefs of every people, and have been the



sources of the speculations of mankind—regarding physical or intellectual nature, the origin of all created beings as well as of the world, and the attributes and existence of God.

I had made considerable progress in my translation, when, on comparing my author, Adelung, with the recent and imperishable work of Herder, and on considering the new sources of inquiry opened to the world in the Asiatic Researches and the expanding cultivation of Oriental literature, I became dissatisfied with the selection that had been made for me. Considering myself, however, pledged to complete my task, I proceeded with the translation, till the progress of the revolution broke the ties which connected me with the literary society of Paris, and left me at liberty to follow my own inclinations. It was then that Mr. Gibbon recommended to me to desist from translating, and encouraged me to undertake, from the notes I had formed and the new materials within my reach, an original work. I accordingly commenced a collection of materials for a view of the doctrines of the Hindus; and had exhausted those furnished by European information, when my cousin arrived from India, and, delighted as well as surprised at the interest he found me take in his own favourite topics, placed fresh accessions of valuable information unexpectedly within my grasp.

Before the Swiss revolution Lausanne was the resort of foreigners of all nations, and every visitor was desirous of being admitted to the curious and interesting collections which Colonel Polier had brought from India. The task of displaying and explaining them devolved on me, and I was frequently employed by him to translate and prepare various papers on the subject of the Hindu mythology. I pressed him to publish, but he pleaded indolence and want of skill, and could never be prevailed on to adopt the measure himself. He had, indeed, contracted by his long sojourn in the east, some portion of Asiatic apathy, and by long want of practice had lost the power of expressing himself with facility either in French or English. Desirous, however, of communicating to the world the hitherto unknown details he had accumulated, he engaged me to propose their preparation for the

press to my learned friend Mr. Gibbon, who had then completed his great work, and was not known to be occupied in any other undertaking. Mr. Gibbon was kind enough to examine the manuscripts, and declared them to be of the highest value, and of the utmost importance, as a clue to all the insulated and desultory information that had ever been published respecting the Hindus; at the same time he declined the task, unless he were left entirely master of the manner in which he should avail himself of these materials. This stipulation was, no doubt, to be expected from the author of the *Decline and Fall*; but it is not to be wondered at, that Colonel Polier should withhold his accession. He was sensible of the necessity of arranging his papers and clothing them in a perspicuous and elegant style, but he naturally wished that they should form the body of the work unmixed with other matter, and that the subject of the composition should be exclusively confined to the Hindu system; he could scarcely also be supposed willing to relinquish all control over the employment of materials which he had himself collected. In declining the undertaking, Mr. Gibbon recommended Col. Polier to entrust the publication to me, as connected with the inquiries I had long been engaged in, and as forming a natural supplement to the preliminary general details which I had purposed to compile.

A short time after this correspondence had closed, my cousin invited me to pass some days with him; and then, under his superintendence and assisted by his explanations, I began to arrange and revise his manuscripts, and prepare them for publication. It was then, also, that he partly dictated and partly wrote, the account of his Indian career inserted above: and on returning to Lausanne, he committed to my care various manuscripts; from which I have prepared a full and general view of the philosophy and mythology of the eastern nations, though circumstances have hitherto prevented its being printed. The unsettled state of public affairs, and the consequent reluctance of publishers to engage in speculative speculations, have indeed long retarded the publication of the present work; and, what I particularly regret, have interfered to prevent its appearance during the life

of my learned friend Mr. Gibbon, or that of Col. Poller. An early death deprived the world too soon of one of its greatest luminaries in the first; and a horrible fate terminated the life of the latter, whose universal benevolence and amiable disposition had endeared him to all to whom he was known.

Among the friends formed by Col. Polier soon after his return to Switzerland, were Mops. V. B. and his wife, who resided in the vicinity of an estate the Colonel had purchased. They were possessed of a comfortable independence, and were of amiable character and cultivated minds; their family was large, but was educated under their own inspection, and grew up adorned with every charm that the most tender affection and assiduous culture could bestow.

The females of this happy and delightful family were three daughters and three nieces, and one of the former, Mademoiselle Rosetti, made an impression on the heart of the Colonel, which the disparity of years and habits made him long hesitate to avow. He at last apprised me of the state of his affections, and solicited me, as the friend of all parties, to communicate the event, accompanied with the most generous proposals to the family of the young lady. His delicacy, his liberality, and his excellent character prevailed over every objection; and he resided at Lausanne, with his young wife, in the enjoyment of undisturbed and daily augmenting felicity.

At this time Switzerland began to be involved in the vortex of republican ideas, and an alarmingly spreading ferment threatened to render that country, so long the asylum of tranquillity, such a scene as the liberal doctrines of would-be philosophers had elsewhere so fatally exhibited. Shocked at the excesses they witnessed, Mr. V. B. and his son-in-law determined to retire into France, which assumed a more promising aspect of order and security; and as estates were then procurable on favourable terms, Mr. Polier, whose ancestors were French, and who expected to enjoy at Avignon the privileges of which the reformed were deprived by the edict of Nantz, as well as a climate more congenial to that of India, which he constantly coveted, gladly seized the opportunity of purchasing an estate

property, named Rosetti, near the town of Avignon, where he settled with his wife and eldest daughter. Monsieur V. B. soon after rented an estate called Sorgue near Rosetti, and the two families were again united. The Colonel and Monsieur V. B. were both friendly to the cause, then apparently triumphant in France, and the less regretted their departure from Switzerland, which they quitted in 1792.

Colonel Polier, although misled by the chimerical doctrines of liberty and equality which were then current in France, could never divest himself of a fondness for Asiatic magnificence; and on the march of a detachment of the army, under Cataut, by his domain, he maintained the whole of them for several days, and kept a house and table open to all comers. The display of wealth on the occasion attracted the attention of the brigands who then infested France, and proved his ruin.

A troop of banditti had, some short time previous to this occurrence, robbed and murdered an innkeeper in the vicinity of Rosetti, and had awakened the fears of the Colonel's friends for his safety. They urged him to leave his solitary and unprotected residence in the country, and to take up his abode, for a while at least, in the town of Avignon; he treated their representations, however, as the exaggerations of friendly alarm, and only yielded to the entreaties of his wife and mother to remove into the town, when it was too late.

In the course of their inquiries for a residence at Avignon, Monsieur and Madame Polier passed the day at Sorgue, when a body of brigands, apprised of their absence, beset the house at Rosetti about seven in the evening: they broke in, and seizing the servants, locked them up in a remote apartment. After disguising their faces with meal, which they procured in the house, part of them hastened to the apartment where Madame V. B. and her youngest daughter were sitting, and threatened their lives, unless they immediately delivered up all the valuables in their possession. Another party stationed themselves on the road, to wait for the arrival of Monsieur Polier. On his return, they surrounded his carriage, demanding the life of Monsieur Polier, his particular friend, the representative of the place at the national assembly, and who

fortunately had not accompanied Colonel Polier. Exasperated at the escape of this object of their rage, they dragged the Colonel from the carriage, accused him of being confederated with Robespierre, and declared themselves instructed by the municipality to effect his arrest: they then led him into the mansion, where they compelled him to give up all his assignats, jewels, and cash; and then asserting that he had treasures secreted in the cellars of the house, they forced him to descend into them, and there striking him to the earth with sabres, they completed with a musket ball their sanguinary design.

While some of the villains were thus engaged with the Colonel, others had seized Madame Polier, and with the most brutal threats, and even with blows, endeavoured to compel her to discover the wealth they asserted her husband had secreted. Finding, however, their barbarity unattended with success, they fastened her into the apartment with her mother and sister, and set themselves to pack up and remove whatever valuable property they could carry away. Part of them had already effected their retreat with a considerable booty, and the rest were on the point of following with further plunder, when the signal of the sentinel they had stationed to announce the approach of succours apprized them of relief being at hand and accelerated their departure.

During the horrible events that had occurred at Rosetti, a faithful domestic found means, at the hazard of his life, to effect his escape and to fly with the news to Avignon. The mayor, Rochetin, immediately ordered out a troop of dragoons; but apprehensive that the delay of their assembling would give the brigands time to effect their purpose, he engaged Monsieur Duprat, commander of the national

guard, and three men of the same corps, to accompany him instantly to the scene of action. They mounted their horses and galloped off immediately to Rosetti without waiting for the dragoons. On entering the gate, however, the Mayor pretending they were at his heels, gave the word for them aloud to advance, and this manoeuvre, with the appearance of himself and his companions, produced the precipitate retreat of the remaining robbers, and restored liberty and safety to the unfortunate family of Colonel Polier.

The instantaneous flight of the brigands had been the cause of their leaving behind them eleven cloaks, sundry arms, and bags filled with combustibles and other articles, by which they were afterwards recognized. The affair, both from its atrocity and the love felt for M. Polier, attracted general attention, and notwithstanding such scenes were then too frequent in France, the horror excited was universal. The Directory took particular cognizance of the transaction, and set on foot so active a pursuit of the criminals, that very shortly afterwards thirteen or fourteen were secured and punished. The intentions they confessed outstripped even their crime, as had they not been so seasonably interrupted, they had purposed the commission of still greater atrocities, and the completion of the whole, by the burning of the house. Amongst the culprits, Madame Polier, who was confronted with them, has declared to me that she recognized several, who had partaken of that hospitality which Col. Polier, with the unsuspecting and indiscriminating liberality that marked his character, had always profusely exercised. The corpse of the Colonel was conveyed to Avignon, where it was interred with public honours.

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## SUPPLEMENT

TO THE

## MEMOIR OF COLONEL PATRICK WALKER.

THE following are extracts from two official documents which relate to the services of this eminent officer while he commanded the British subsidiary force in the Basar country. They have recently been handed to the editor,

through the same accredited channel by which he received the original manuscript of this interesting memoir. As they tend to give completeness to the narrative, it is a satisfaction to insert them in the same volume. The place into

which these details fall, according to the order of time, is p. 241, col. 2, after the word "Resident."

The following extracts of dispatches, one from the supreme government of British India, and the other from the presidency of Bombay, bear an honourable testimony to the able manner in which Col. Walker conducted this service, and of the peculiar difficulties which attended it.

Extract from a dispatch from the governor-general in council to the court of directors, dated 12th December 1816.

"The establishment of the subsidiary force in the territories of the Rajah of Nagpore has produced a most salutary effect; and its advance to the Nerbuddah, and the active pursuit by Col. Walker of a body of Pindarries, which crossed the river early in November, has created a degree of alarm in the minds of the Pindarrie leaders which may tend materially to restrain their excesses during the present season. Intelligence, indeed, is transmitted to us, that considerable bodies of the Pindarries have penetrated through the wide intervals between Col. Walker's posts, and have committed some devastation; but as we have not had any distinct report as to the amount or direction of these columns, we cannot judge whether they have any more distant object, or are only employed to occupy Col. Walker's attention. Col. Walker pursued the freebooters into Scindia's territory south of the Nerbuddah, which afforded him the opportunity of compelling them to return across the river, and ultimately to break up their camp on the north bank, and retire to Satwas. The resident had authorized Col. Walker to take this step, under a conviction that it was essential to any plan of operations for the obstruction, pursuit, or interruption of the Pindarries, and that no objection would be offered to it by Scindia or his officers.

"It is manifest that no defensive precautions can be of avail against an enemy like the Pindarries, while they occasion an annual expenditure exceeding the most extravagant calculations of the cost of a vigorous and decided system of measures, which would destroy the evil effectually. The inability of Col. Walker's force to defend the extensive line of frontier committed to his charge has

already been made manifest—notwithstanding the activity and exertion of that officer and the troops under his command—by a large body of Pindarries having actually turned one of his largest detachments, so close to its position, as to have been partially engaged with the British troops, which, being composed entirely of infantry, was unable to offer any effectual obstruction to the rapid movements of the enemy. We have endeavoured to improve Col. Walker's means of defence, by placing at his disposal two battalions and two squadrons of cavalry; and we hope that with this additional force his line will be considerably more secure, though we can entertain no hopes that any system of measures founded on defensive principles will oppose an effectual barrier to the incursion of the Pindarries."

Extract from a dispatch from the governor in council at Bombay to the court of directors, dated 18th December 1816.

"The first advices respecting the Pindarries received from the resident at Nagpore, stated their number to be about 27,000, who are collected and prepared to cross the Nerbuddah; a body of about 4,000 men soon afterwards recrossed the river at the Buglateer-ford, but recrossed it in consequence of the movements of the troops under Col. Walker, commanding the Nagpore subsidiary force. Another similar body having crossed over at the Buglateer-ford, and it being reported that they had taken the Boorhanpoor road, Col. Walker pursued them for some time in that direction. On his return with the hope of intercepting some of the other Pindarries, who might be expected to follow them, he succeeded in surprising and dispersing a party belonging to the first body, some of whom were killed, and a few taken prisoners. It appeared from the information they afforded, that the report of their having proceeded to Boorhanpoor was incorrect; and in consequence of Col. Walker's movement they recrossed the river, and the whole of the Pindarries assembled in that part of the north of the Nerbuddah immediately fall back."

The Governor-general, however, soon after this, came to the determination.....

Thus connected, the narrative proceeds as before.

*To the Editor of the Asiatic Journal.*

SIR,—As complicate relations growing out of the cession to the Dutch of Banca remain to be adjusted, there are two or three points which it seems material not to overlook.

The Dutch had originally but a factory on Banca; they gain full sovereignty of the whole island by the cession. Our right to make the cession rested—on a commutation of the influence over the Sultan of Palembang acquired by possession of the Dutch Settlements in Java; and on a delegated observance of the guarantee which that commutation gave to the Sultan of the full sovereignty of his dominions in

Java. When Banca was transferred, the commutation was transferred. This therefore takes the case out of the ordinary operation of the law of nations upon acts done by a power holding a temporary dominion acquired by conquest, which acts are not specifically confirmed by a treaty on the restoration of peace. The acceptance by the Dutch under a treaty of what the commutation acquired, is a virtual recognition of the guarantee which the commutation gave.

If the Dutch choose to invalidate their title to Banca, this cannot disturb the cession of Cochin in exchange for it. QUIA.

*To the Editor of the Asiatic Journal.*

[Concluded from p. 473.]

The *torkois* of Nishapúr, in Khorasan, and the لال *lál* or ruby of Badakhshan, are the only precious stones indigenous to Persia; but its granite and marble, as sculptured in such caverns and images as I have just noticed, and in the temples, palaces, and other public and useful buildings I shall hereafter touch on at Istikhar and elsewhere, are rich enough to satisfy a traveller, like myself, of the great progress made by the early Persians in the arts which embellish society, as well as in the sciences which constitute its noblest boast; and I must leave on my left the mines of Badakhshan to be explored by the speculative trader and sheer geologist, and returning back to Cabúl, proceed at once to Ghaznín غزنين; for though Cabúl, as Foster tells us, be itself a compact and handsome city, with well-arranged and supplied bazars, surrounded with gardens and groves, and the territory around interspersed with villages, and diversified with mountains and rivulets, (with the exception of the

tomb of the Moghul emperor Bابر, and comparatively modern buildings), it has little to interest. Though full a degree due south, I should find Ghaznah considerably colder than Cabúl, owing to the greater elevation of the table-land where it stands, and the contiguity of the Bangshá بنكشا, or what our geographers call the Soliman range of mountains, through which Abd-al-karím accompanied Nadir-shah in his expedition against Khoda-iyár-khan, then Subah of Sind, on the part of Mohammed Shah, the Great Moghul; who mentions the passes to be more difficult than any they met afterwards in the most mountainous tracts of Persia. Above eight centuries ago Ghaznah was the capital of Persia, in its most extensive sense, and is still a respectable town, standing on a height, and well supplied with water by a branch of the Jilga; part of the magnificent embankment of its first patron, Sultan Mahmud, though it was much injured by the destructive envy of one of the Afghan princes that succeeded him, is still in good repair, and known

by its old name of *Ab-astándah* آبستانده or the standing water, being an artificial bason of many miles circumference. The tomb of the Sultan, standing about three miles from the city, and surmounted with a tomb and cupola, is still in good repair, and though not a magnificent building is curious, as containing some articles of arms and furniture that were used by that, in his day, greatest meanest of mankind! But the Persian scholar would be more interested in meeting the more modest mausoleum of the poet *Hakím Sanáyi* حكيم سنائي where

We seem through consecrated walks to rove,

And hear soft music die along the grove;  
Led by the sound we roam from shade to shade,

By godlike poets venerable made:

and in being shown the garden where *Firdousi* introduced himself to *Ansári* غنصاري and the two other favourite bards of the Sultan, on the following occasion. On first presenting himself at

چون عارض تو ماه نباشد روشن \* مانند رخت گل نبود در گلشن  
هزكانت گذر همي كند از جوشن \* مانند سنان كيودر جنگ پشن

"The moon is not so silver bright as thy forehead, nor is the rose of the bower so blooming as thy cheek: the lashes of thy eye penetrate my cuirass, as the arrows or darts of *Géó* did in the battle

of *Pashan*:" جنگ پشن. The

battle of *Pashan* is synonymous with جنگ لادن *Jungi Ladan*, or the battle of *Ladan*, a field where *Pírán Wásah*, general of the *Túrání* king *Afrasiyáb*, gained an easy and complete victory, the *Farhangi Jihangiri* says, over *Tós*, the general of *Kaí-khosro*, and slew among others seventy of the sons and kinsmen of *Gúdriz*. Soon afterwards, on presenting the Sultan with the episode of *Sohráb*

*Ghaznah*, like our own sweet bard *Thomson*, he had such a clownish look, that his fellow poets rather shunned him. *Ansári* and his two friends were, as is usual in the east, enjoying themselves in a public garden, when observing that *Firdousi* was approaching, in order decently to get rid of him they settled among themselves to repeat each in his turn one of the three first hemistichs, leaving it of course to him to complete the following tetrastich, but at the same time satisfied in their own minds, that there was no other word in the Persian language that would rhyme with the three, which they had taken care to preoccupy: however, the ready wit of *Firdousi* surprised them by repeating, without hesitation, the fourth; upon which, adds the story, they cordially received and afterwards introduced him to *Mahmúd*, as a poet capable of undertaking the *Sháh Namah*, which the Sultan had set his heart on having rendered into an heroic poem; and he immortalized himself by completing it. The tetrastich is

سهراب and *Rostam*, as a specimen of his work, an order was given on the treasury for a thousand dinars, or one dinar (8s. 6d.) for each couplet; but he declined receiving the royal bounty till the whole poem was completed, when he meant to lay it out on some public work at *Tós* توس, his native place, and establish his only daughter there in the charge of it for her life. But whether from any ill turn done him in that quarter by his now envious brother poets, from any neglect in eulogizing himself, or a difference in religion (*Firdousi* being a follower of *Ali*, and the other a *Sunni*), but by that time *Khojah Hussain Mymandí*, the vizier, proved hostile

to him; and perhaps aware that no trick could be deemed mean, that might save his avaricious master's money, when the sum became due, he ordered 60,000 *silver* instead of *gold* dinars to be sent him sealed up in bags; with a vulgar message, that, "Equi et poetæ alendi sunt, non saginandi"—Poets, like horses, should be well fed, but not pampered. Firdousi was in the antichamber of the bath dressing himself to receive it, and on opening the bags he felt so indignant at this shabby treatment, that he gave 20,000 of the sum to the keeper of the bath, 20,000 to the fruiterer that had all along given him credit, and 20,000 to the slave that brought it, telling him to report to his master that he wrote for fame and not for wealth, and consoled himself in the laurels of immortality in this life, and that hope of paradisial bliss, the consciousness of a well-spent life ensured him hereafter. The favourite Ayiáz was bold enough to make a literal report; and the Sultan, fearful that such an act of parsimony might tarnish his fame, pretended to reprimand his vizier; when this wily minister observed, whatever your majesty might bestow ought to be esteemed an honour, and it was insolent in the poet to treat the Sultan's donation with such contempt. These, and other insinuations on the difference of sect that also subsisted between the Sultan and poet, a passage to such an effect from the *Shahnamah* he had ready also to quote, so provoked the Ghaznín monarch, that he was irritated to say; "the foot of the elephant shall teach the lesson of obedience to the refractory." The poet, made aware of the tyrant's sentence, and favoured by Ayiáz with an oppor-

tunity, threw himself at the feet of Mahmúd, as he passed through the garden to his private apartments; for on such an occasion he had no time to lose, and was to stand on no ceremony, and exclaimed: "Pardon me, O my prince! for I am not so culpable as the misrepresentations of my rivals would insinuate to exasperate your majesty against me: I was guilty of no disobedience, but received your gracious donation with becoming humility, and esteemed it as a most distinguished mark of your favour; but my long residence at court had involved me in debts, and I distributed your royal gifts among such as had the first claims on me: many are refractory, I am not one of them, but an humble and unprotected individual: the sentence of your majesty I have heard; yet what can the execution of a poor man add to your glory? let me implore the revision of your decree, and be restored to life and your favour." The Sultan, moved by this address, revoked the sentence; and Firdousi returning to his apartments, first destroyed some fine lines, which he intended as a panegyric of his royal patron and an introduction to his *Shánámah*, and calling to mind the mortification he had been just subjected to, in order on the spur of the moment to save his life in the arbitrary and prompt command of a despot, he hastily wrote a note, and delivering it to Ayiáz, requested him twenty days after his departure to put it into the Sultan's hands, whenever he should find him in a more than usual festive mood: it was his far-famed satyr, in which, if he had left us nothing else, we can discover the "*acer spiritus ac vis*" that constitute the real poet:

بدن شهریار که این روزگار      \* نماند همی بر کسی پایدار  
 بترس از خدا و میازار کس      \* ره زشتکاری همینست بس  
 چو دیدی تو این خاطر تیز من      \* نپندیشی از طبع خون ریز من

- \* که جان دارد و جان شیرین خوش است  
 \* و کر نه مرا بر نشاندی بگاه  
 \* مرا تاج دادی و زرین کمر  
 \* مرا سیم و زر تا بزانو بدي  
 \* نیارست نام بزرگان شنود  
 \* نه اندر سه است و نه اندر چهار  
 \* پدر ز اصفهان بود آهنکری  
 \* که ز نکی بهشتن نکردن سفید  
 \* سیاهی نشاید بریدن ز شب  
 \* اگر چه بود زاده شهریار  
 \* همان بد که بخشش جوانه نبود  
 \* شد از گفت من نام شان زنده باز  
 \* عجم زنده کردم بدین پارسی  
 \* که تا شاه بخشد بپاداش کنج  
 \* مرا جز قفای بپای نداد  
 \* ز من شادمان شد قفای شهر  
 \* نه در راه دانش کرامی بودی  
 \* ز آئین شاهان و رسم کهن  
 \* نکردی چنین روزگارم تباه  
 \* مرا نزد او پایکاری بودی  
 \* چو محمود را صد حمایت کنم  
 \* جوان مرد را تنگدستی مباد  
 \* کرش در نشانی به باغ بهشت  
 \* به بیخ اندرش ریزی از شهد ناب  
 \* همان میوه تلخ بار آورد  
 \* بود خاک در دیده انپاشتن
- میانزار موری که دانه کش است  
 بدانش نه بد شاه را دستگاه  
 اگر شاه را شاه بودی پدر  
 اگر مادر شاه بانو بدي  
 چو اندر تبارش بزرگی نبود  
 گفت شاه محمود عالی تبار  
 نه خسرو نژادی نه ولا سری  
 ز نا پاک زاده ندارد امید  
 ز بدکوهان بد نباشد عجب  
 پرستار زاده نیاید بکار  
 چو فردوسی اندر زمانه نبود  
 همه مرده از روزگارم دراز  
 بسی رنج بردم درین سال سی  
 بسی سال بردم درین نامه رنج  
 بپاداش من کنج را در کشاد  
 فزون یافت از من بانعام بهر  
 و کر نه جهاندار نامی بودی  
 چو بشنیدی از نیکوان این سخن  
 دگر گونه کردی بکارم نگاه  
 اگر شاه را دستگاهی بودی  
 کر از مدح شان حکایت کنم  
 که سفله خداوند هستی مباد  
 درختی که تلخ است اورا سرشت  
 وراز جوی خلدش بهنکام اب  
 سرانجام کوهر بکار آورد  
 ز بد اصل چشم بهی داشتن

Think not, O king! the fate of you or me  
 Depends on what I write or you decree:  
 Your Maker reverence, and your neighbour love,

Such is the path as marked us from above;  
 Salvation's path, the due when he goes hence

Of him that's good, of beggar or of prince.

Asiatic Journ.—No. 42.

To vie in state you might not judge me fit;  
 Yet feared you not the satyr of my wit?

To yonder ant, a heap of grain its treasure,  
 Life is a pain, yet deems it life a pleasure.

Had genius with my sovereign found its price,

I should have honour met, but not disgrace:



Had Mahmud's mother been of royal blood,  
 'Midst gold and silver to the knees I'd stood;  
 Or had the king a kingly father got,  
 A royal robe or crown had been my lot:  
 But such you were, the meanness of your birth  
 Precluded every generous thought of worth;  
 Your mind to justice never could aspire,  
 Nor well could greatness find a dwelling there:  
 On king or kingly race no claim had he,  
 Your sire a blacksmith, hence your pedigree:  
 Of such low lineage what must be the heir,  
 Can we by washing make a negro fair?  
 Though a king's son, the bastard of a slave,  
 Who could expect to emulate the brave?  
 Could a vile prostitute with virtue glow,  
 Or worth could her polluted offspring know?  
 For sordid meanness to give generous light,  
 Were to expect day's brightness in the night.  
 Had not Firdousi re-illumed his day,  
 Chaos was come again, and dim was every ray;  
 Heroes had blazed the meteors of an hour,  
 Oblivion menaced to entomb their power,  
 Till snatched from silence and devouring time,  
 I made them reign again in poetry sublime!  
 Lives there a poet in whose tuneful strain  
 Flow loftier thoughts, nor flowed from me in vain;  
 Though poor and humble, yet the voice of fame  
 Immortalized in verse my laurelled name!  
 For thirty years I wooed th' heroic muse,  
 And brought my native language back to use:  
 Laws then, and foreign idioms filled the land,  
 Parsi or Pahlowi all now understand:  
 Much did I suffer in this learned labour,  
 And strove to court my prince's gracious favour;  
 And did he ope for me his treasure'd hoard?  
 Not so, but that of violence and fraud:

He got from me his fill of glory, fame;  
 I in return met infamy and shame!  
 Had nothing greater 'crued unto the king,  
 Enriched he'd been in all the lore of learning;  
 When virtuous men might read to him my story  
 Of sovereign forms and customs long gone by,  
 He should have viewed it in a well-meant light,  
 And not involved me in the gloom of night.  
 Had I made free with Mahomet and Aly,  
 They would not thus have cast me off from mercy;  
 And had my prince the faculty of reason,  
 I had been graced with honours next his person;  
 The good and generous then I'd give sufficient,  
 But let the sordid ever be in want;  
 The tree, whose bough the bitter apple yields,  
 Were you to plant it in Elysium's fields,  
 Refresh its foliage with bliss-inspiring nectar,  
 Spread honey and ambrosia for its manure,  
 Still would its juices their harsh tartness show,  
 And Colocynthis issue from each bough:  
 Thus were it casting dust in good men's eyes,  
 To hope that good from evil would arise.

A parody of the concluding beautiful simile by Molana Hatifa, the nephew of Jamí, appeared in my essay of last April. Besides the Sháhnámah, which consists of 60,000 couplets, Firdousi wrote another heroic poem on the love of Zolikhá, or Potiphar's wife, for Joseph, which Jamí had the credit of remodelling so well, that it were difficult to find a copy of that of Firdousi: it was dedicated to the Khalif Káyam Abási قایم عباسی, and probably written during his residence at Baghdad; and the following is a couplet, containing a foot more than the Sháhnámah, which again is the heroic line of our Pope:

بهر گونه بوی و بهر گونه رنگ \* نکوتر بیارای آن شکت کنک

" You must more elegantly adorn that lovely wanton with every shade of bloom, and with all manner of perfume." Dowlat Shah, in his life of him, observes that Khâcânî rivalled Anwarî in Casâyids قصاید, as did Amîr Khosrô Shaik Sadî in the Ghaz'l غزل; but if Nizamî stands next to Firdousî in heroics, it is at a most respectable distance, for the latter has no rival in the pathetic and sublime :—" Non satis est puris versum perscribere verbis : " genius is requisite, and that he had. For thirty years that he was employed on the composition of his great poem, the gate of fortune was present to the view of Firdousî; and when the little intrigues of a court, and the meanness of the prince shut it, the temple of fame opened her door for the poet of nature; and to the end of time, instead of that panegyric which he was so ambitious of and which was ready for delivery on a reciprocity of generosity, ignominy will wait, as Jami elegantly expresses it, on Mahmûd :

" Mahmûd is dead : his splendour beams no more,  
Dimmed on oblivion's melancholy shore ;  
Despair and darkness rest upon his name,  
Blind to Firdousî's merit and his fame."

On the day of delivering Ayiaz the note, Firdousî fled from Ghaznah on foot, the faithful bondsman alone daring to supply him some small means of thus prosecuting his journey. On reaching Kohistan, Nasr Molk Motasham, the governor of that province, discovered and sent for him, which alarmed the poet; but he was received with honour, and had a handsome supply of money, with the discreet advice of smothering his indignation and suppressing his satire, for the fame of that and his other works accompanied him : but the satire was in the hands of

the public at Ghaznah, and could not be suppressed. Not considering himself safe, Firdousî precipitated his flight into the wilds of Mazindiran, and was kindly received by the chief of that province, himself a poet and man of letters, and enchanted with the Shâhnámah; but apprehensive of the Sultan's anger, and fearful of being displaced, he made the poet a handsome present, with an injunction to seek another asylum before a reference could be made to him. He now hastened to Baghdad; and Mahmûd being at that time engaged on one of his expeditions into Hindustan, he had time to cultivate the favour of the Khalif and his prime minister, and hoped he was forgotten at Ghaznah. It is not the injured, but the injurer, that is in common most unforgiving; and his enemies again brought him into the Sultan's notice, and the place where he had so long resided in peace and plenty: when the tyrant wrote to the Khalif (for that once august head of Mohammedism trembled at his nod) to have Firdousî apprehended and sent to Ghaznah, or the foot of his elephant would trample on the small remaining pageantry of his power. He was again supplied with money, and advised to seek a refuge in the deserts of Arabia; but now verging on seventy, he was sick of foreign courts and places, and instead of Arabia, proceeded to his native city of Tôs. Whether his enemies had themselves fallen into disgrace, or the Sultan saw the impolicy of harsh treatment, the 60,000 gold dinars were now sent to Tôs, and leave for the poet to reside wherever he pleased; but the messenger, when arrived at the city gate, met Firdousî's corpse on its way to the grave; for while a boy was in the market place reciting to him some lines of the Shâhnámah, he fell down in a fit and expired. The money was offered to his daughter,

but what her father had not received she declined to take, and it went to build a mausoleum and other public works at Tós. However, the daughter out of her own means built a stone stair down the bank of the river, which Nasr Khorsó, a brother poet, mentions having visited A. H. 438, as well

as the magnificent public edifice erected by orders of Mahmúd; and that in a contiguous garden was Firdousí's tomb. The concluding lines of that part of the Sháhnámah, that gave such offence to Mymandí and his master, and chiefly contributed to Firdousí's disgrace are :

برین زاده ام هم برین بگذرم      \* ثنا کوی پیغمبر و حیدرم  
اگر چشم داری بدیکر سرای      \* بنزد وضیع و علی محبوبی جای  
کرت زین بد آید کناه من است      \* همین است آئین و راه من است

He has been speaking of the seventy sects, into which Mohammedans are divided, and comparing them to vessels launched forth on the ocean, in one of which Mohammed himself is embarked, accompanied by Ali, who married the prophet's daughter Fatimah, and was certainly one of the most zealous and distinguished of his early converts, but whether through design or the intrigues of Ayishah, did not succeed him; and when he became Khalif, after the deaths of Abubakr, Omar, and Othman, had an uncomfortable reign, and soon fell the victim of an assassin. Like the majority of his countrymen, Firdousí was an Alowí or Shíah شیعہ heretic, as their opponents the Sunní سنی, or favourers of the intervening three Khalifs, call them; he says as above :

"I was born in this faith and will die

همه عالم چو باغ و بستان است      \* وین کریمه بتر ز زندان است  
با لب خشک و چشم کریان پیر      \* گفت هذا لمن بموت کثیر

"This whole globe is a garden and orchard; but this miserable hovel, where you dwell, is worse than a dungeon."

With a parched lip and weeping eye the sage replied,

"After my death this will be more than enough for my body:" also

درشهد چه خوشیست که درکام تو نیست      \* درگبک چه کشیست که درکام تو نیست  
در شهر کدام دل که اورام تو نیست      \* پی بال به آن مرغ که در دام تو نیست

in it; I am the panegyrist of the prophet Mohammed, and of the lion Ali: if you entertain a hope of another place or of Paradise, ask for a seat in the vessel with Ali and the prophet: if there is any sin in this it is my transgression, for this is the ritual and rule of worship I follow."

Dowlat Shah's account is different, but the above is, I fancy, more correct.

Hakim Sannáyi, the Ghaznowí, whose tomb I have noticed as being at Ghaznín, is a spirited and elegant poet, and was patronised by several of the sultans and successors of Mahmúd, and is the particular panegyrist of Bahrám Shah; this had recovered Ghaznín from the Ghúrí chief Súrí, who had taken and plundered it A.H. 512: Sannáyi died A.H. 525. A person is supposed by him to address the fabulist Locman, and say:

"What luscious sweetness is there in honey, that is not to be tasted in a kiss of thy lip? what grace is there in the walk of the pheasant, that is not to be seen in thy step? what heart is there in the city, that is not devoted to thy service? that bird were better without

wing or plumage, that falls not a prey to thy snares."

But though thus at home in morality and love descriptions, like most bookworms he was unhappy in his domestic establishments; for his wife tells him:

|                          |   |                         |
|--------------------------|---|-------------------------|
| عورتی ام بکرده از شنکی   | * | تیغ بسیار مرد را افسان  |
| بر همه مهتران فکنده رکاب | * | وز همه لیکن کشیده عنان  |
| اخر این لیکن کتاب فروش   | * | برسانید کار بنده بجان   |
| بی خرد لیکنی و بد خصلت   | * | بی ادب مردکی و بی سامان |

"I am such a dame, that in the dexterity of my exercises I can fascinate the sword of many a brave man; I can humble the stirrup of great and mighty kings, and raise on high the rein of their meanest subject: yet a pettifogging dealer in books distresses me to the soul in the management of my affairs; a manakin without temper or common sense, a fellow without means or manners."

These afford three examples of different and fine sentiments expressed in elegant language, and with compact vigour.

Hakīm Ansarī was a good poet and a favourite servant of Sultan Mahmūd. Most of the oriental despots were, fortunately for the cultivation of fine writing, fond of poetry and praise, and in the *Montakhib-Shāhnámah* or selections and abridgements of the *Shāhnámah*, written by Shamsir Khān شمشیر خان, under the patronage of that accomplished prince Dara Shokōh, heir apparent of Shah Jihān, and A. H. 1063 Sūbah of Cabul, it is related that Sultan Mahmūd was passionately fond of science and literature, and was in particular so partial to the poets of his time, as to make them his chief favourites, and even ministers of state. Sitting one day with a party of them in his private apartments, the traditions of the *Shanamah*, or chronicle of the ancient Persian kings, was brought on the carpet,

and the king expressing his surprise that none of them had made them the subject of a poem, they answered him, that Dókíkí دوکیکی had them put into his hands by Noah, the fourth prince of the Samōn dynasty, A. H. 383, (but, if we believe Tahir Mohammed, by Ismayil the founder of that dynasty, A. H. 290), and had composed only a thousand couplets, when he was assassinated by one of his own slaves; and on the Sultan commanding Ansari to complete it, he replied that he was too much occupied in attending his majesty's person, but he had a friend of fine genius and great poetical talents, who was better capable and ready to undertake it. And as this conversation took place immediately after Firdousi's garden adventure, it led to his introduction at court; and having that task assigned him, no poet, take him altogether, was fitter for it. Yet though no man can be more liberal to all sects, being a rigid Mussulman he was prejudiced of course against the Gubras; whereas Dókíkí, being himself a Gubra, might have been expected to lean the other way, and would have preserved many details of them that are now irrecoverably lost. Ansari, though a good poet, was by no means adequate to the task; the following will afford specimens of his talents otherwise:

جوانمردی از کارها بهتر است \* جوانمردی از خوی پیغمبر است  
دو کیتی بود بر جوانمردی راست \* جوانمرد باشی دو کیتی ترا است

"Generosity is superior to industry; generosity is a faculty of the prophets, both worlds are open to the generous man; be generous, and both this and the next world are yours."

که اگر بر آب روی خسی باشی \* و کر بر هوا پری مکسی باشی  
دل بدست آر تا کسی باشی

"Whether you be the khas insect that skims over the water, or the fly that flutters through the air, make sure of one heart, namely, God, that you may become somebody." Of Dokiki's ability in heroic poetry Firdousi gives a liberal example in his *Shahnamah*; and of his smaller pieces the two following couplets are specimens:

مکن ای روی نکوزشتی باعاشتی خویش \* کز نکورویان زشتی نبود فرزما

"Do not, O, my sweet-faced charmer, make sour faces at your admirer, for a wry look ill accords with that lovely countenance." It also affords an example of a redundant alif affixed to *فرزام* and so common with the early poets:

ز بس که آتش غم را بدل بر فروزی \* سیاه روی غلیظه چو فکر آتش دان

"From incessantly blowing up the embers of grief within your bosom, your face has become black and grim as the funnel of a furnace." three poets that Firdousi encountered in the garden, is a voluminous and nervous writer; and seems fond of compounds, as thus:

Ostád Farkhí, another of the

ناوک اندازی و زوپین فکن و سخت کمان \* پهنه بازی و کمند افکنی و چوگان باز

"A dart-thrower, javelin-wielder, and stringer of the strong bow, a ball-tosser, moose-entangler, and player at the *chaw-kán* or club and ball (goff of the Scots)." Like the poets and great geniuses of other countries, he did not hesitate at self-praise:

من یقینم که درین پنجه سال ایچ کسی \* در خور نامه او نامه بکس نفرستان

بر بساط ملک الشرق از و فاضلتر \* کس نه نبشتست و کسی کرد نداند بیداد

"I well know, that for these fifty years no poet has dedicated a book to any person so worthy of his genius as his book; throughout all the kingdoms of the east no ingenious man has composed, nor can any body understand how to publish, so well as he does!" the above trio, it might suffice to quote one example, in which he has the meanness to praise *Mahmúd* for that virtue which of all others he had the least pretensions to: but we Englishmen are of late accustomed to this mode of *courteous* flattery:

And of Ostád Asjadi, the last of

ز بس حرص بخشش نکرده سوال \* بسایل دهد جود او پیشداد

"His munificence would deal out his gifts in advance, before the petitioner, in his inordinate cupidty of presents, could have an opportunity of asking for them." Nevertheless, on the more common occurrences of life I find him more simple and natural:

چو نا اهل را قدر گردد بلند \* نباشد چو آزادي هوشمند  
اگر چه چنار مست برکش بزرگ \* نباشد در و نفع برك تورك

"Though an unworthy character can attain supreme dignity, yet he must not be placed on a footing with the independent and intelligent: notwithstanding the plane-tree has a broad and luxuriant foliage, its leaf does not possess the culinary virtues of the common herb purslain."

Like Dr. Johnson, during his journey in Scotland, travellers complain of a want of trees in Persia; but near most towns and villages, where the industrious inhabitants have by their peculiar and ingenious mode of irrigation been able to supply the natural deficiency of water, the contrast is more striking; and there in common we meet the چنار chinár or plane-tree, which may be said

to be indigenous, in all its umbrageous and luxuriant glory!

In the above sentiment Asfadi has been imitated by no less a poet than Sadí; and he tells us that the Khalif Harún-ar-rashíd, in contempt of the miscreant Pharaoh, who in the pride of his sovereignty claimed divine worship, deputed one of his negro slaves to rule over Egypt. This man's understanding was so mean, that on the farmers complaining of an unseasonable flood of the Nile having swept away all their cotton plants, he told them to go and plant wool, which would stick closer to the soil. On this story Sadí, as usual, makes the following moral reflections:

اگر روزي بدانش در فرودي \* ز نادان تفك روي تر نبودي  
بنادان آنچهان روزي رساند \* كه صد دانا در آن حيران بماند  
بخت و دولت بكارداني نيست \* جز بتأيد آسماني نيست  
كا وفاد است در جهان بسيار \* بي تميز ارجمند و عاقل خوار  
كيما كر بغصه مرده و رنج \* ابله اندر خرابه يافته كنج

"Were fortune to distribute her favours in proportion to our knowledge, none would prove scantier than the portion of the foolish; but she will bestow such abundance on the ignorant, as must astonish many of the learned: wealth and dominion depend not on management or skill, they can only be obtained through the gracious favour of heaven: how often has it come to pass in this life, that the illiterate were honoured and the wise held in scorn; the fool in his idleness found a treasure hid under a ruin, while the alchemist fell the victim of his disappointment and chagrin."

But the wit of the above apologue will be lost on the British manufacturer, for in his commercial lists, among other absurd names of drugs, he will find *cotton* called *wool*!

Before I quit this elevated table-land, let me quote another verse in confirmation of its salubrity, though the poet Sanáyí artfully converts this natural effect into a compliment to his patron and sovereign, as the cause.

از جود تو و علم تو غزني چو بهشتست \* زيراكه درو نيست نه بيمار و نه تيمار

"In consequence of your benevolent and good management, the territory of Ghazna is another paradise; for there we find nobody either sick or sorrowful."

And on the subject of that common topic of most late travellers in Cabul, whether Mussulmans or Christians,—and in fact it is the

opinion also of no less an authority than Hosain Anjû, the author of the *Farhangi Jihangirî*, namely, the identity of the Jews and Afghans,—I would, for my part, not say that the latter were Jews, but the reverse; for the Jews after their long captivity are allowed, if the Hebrew ever was vernacular with them, to have totally forgot it; and it is most likely that a people that could thus lose the entire use of their language, would also lose the customs, man-

ners, habits, and dress, that had characterized them as Jews, and that they returned into Judea in the character of Afghans; and these, I have already remarked, are most probably the pure descendants of Rostum, Zâl, and those Pahlawans, so famous as holding the fiefs of Cabulistan and Sigestan, and so renowned in ancient Persian history. But it is full time now for me to finish, by subscribing myself, yours,

GUL-CHIN.

*To the Editor of the Asiatic Journal.*

London, 15th April 1819.

SIR:—A respectable proprietor, who appears in your last number (40) under the designation of “Three Stars in the House,” has introduced a subject upon which my sentiments are so entirely in unison with his own, that I can only regret it has not been brought forward in a place where I might have had an opportunity of supporting it *visâ voce*, instead of thus feebly seconding his propositions through the medium of your valuable publication.

The subject, Sir, to which I allude, is, the projected amelioration in the present system of voting at the election of a director; and though its able advocate has left me but little to urge in addition to his interesting observations upon the question, it may nevertheless be gratifying to his feelings to know, that his anticipated measures meet with the hearty concurrence of one, at least, of his associates in the proprietary.

I can, with this gentleman, remark, that I also have heard several intelligent and respectable persons descant upon the great convenience which would arise both to electors and candidates, if an arrangement similar to the one

proposed could be carried into effect; and it is only to be lamented that where a feeling in favour of such an arrangement extensively prevails, it should not be acted upon with an energy and promptitude which would at any rate bring it under general discussion. It reminds me of an old, but trite adage, that “what is every body’s business is no one’s”; but I do hope, Sir, that your present correspondents (I exclude myself), whose communications are so replete with good sense and with liberality of argument, will excite others to follow their example, and thus introduce many topics to public notice, which can afterwards be more ably followed up by the impressive powers of eloquence in that forum where questions of interest are ultimately decided on.

It certainly bears hard upon many of the proprietors, that they should, under existing circumstances, be deprived of their elective franchise; and that the infirmities of age, distance from the metropolis, or domestic considerations, should incapacitate them from offering their mite of assistance to a friend, or from, perhaps in many instances, repaying a debt of gratitude.

It is equally injurious to the candidate, who, from the operation of the same impediments, is deprived of the support of many valuable friends, who can form no accurate calculation as to the extent of influence which he may command towards the attainment of his object, and who might, otherwise, implicitly rely upon the zealous support of many, who were the companions of his youth, or who from family connections, or the recollection of past benefits, might be devoted to his interests.

There is another point, which I think should not be overlooked in the consideration of this subject: Some proportion of our elective body consists of ladies of the first respectability in society, to whom it must, in no small degree, be obnoxious to give personal attendance on a day of election at the India-House; for though I am willing to admit, that on these occasions, every possible attention

which politeness can dictate is invariably paid to the fair visitors, yet I maintain that they exercise their rights under great reluctance; inasmuch as they are unaccustomed to those scenes of bustle and confusion which will, more or less, prevail at such periods, and which cannot be at all congenial to the natural timidity of their sex.

The plan suggested by your correspondent for obviating these difficulties, is so simple, so rational, and so practicable, that I shall only say, I most cordially approve it, and however humble my remarks may be when compared with his, I do sincerely hope that an amalgamation of both may influence other advocates to espouse the cause, and ultimately lead to an innovation which I trust will be found generally beneficial.

I am, Sir,

Your most obedient servant,  
A RETIRED CIVIL SERVANT  
AND A PROPRIETOR.

*To the Editor of the Asiatic Journal.*

Sir:—The question lately started, in parliament, by a skilful combiner of philanthropy and jurisprudence, about the propriety of transporting *women convicts* to New South Wales, has led me to revolve the subject again and again, in order to find a blameless alternative. My own thoughts, or to speak with unaffected modesty, my own attempts to think, concur in all that the mover of this question has said about the serious mischief which results from corrupting the principles, and vitiating the morals of the ingenious adventurers, who while drawing practical advantages from the various resources of the furtive art, have had their artifices detected and their energies oppressed; and, as if disappointment in their pursuits were not a sufficient misfortune, while arrested as culprits, and convicted as

felons, are branded by the approbrious law with the name of thieves. When he pours out from his luminous mind, as from a fountain of just legislation, a torrent of objections to our criminal laws, my own ideas fall in with his censures with such instinctive agreement as emboldens me to call our notions "twin conceptions." I only lament that censures and remedies cannot always flow together. Could I hope that he would appreciate, eulogise, and adopt my attempts to remove, as I do his to discover defects in the law of the land, I should be abundantly rewarded; but I cannot anticipate this exalted honor; repulsion begins at the nearest point of approximation to absolute contact. One maxim, to which both assent, may divide us: "singularity is the road to eminence." The most clement refor-



mer of the penal code, who to re-pel the spoiler of private property, would borrow from the schoolmistress of infancy the persuasive influence of gingerbread and barley-sugar, may be surprised and irritated to find another person who thinks entirely as he does; starting from the same principle — “let the criminal law be civil, as it respects the offender;” and coming to the same conclusion — “then will the civil law be criminal, as it respects the community.”

He laments the oversight of Linnaeus in not classifying “convicts,” as a subdivision of his *homo*; so do I. I am studying Gröse’s lexicon of the slang dialect, in order to find how many partitions a ship fitted to carry reluctant settlers to Port Jackson ought to contain, in order to correspond with the nice gradations of forfeited character when multiplied into all the varieties of previous education and habit. With what pathos did the zealous invoker of accommodation for the compulsory voyagers to another hemisphere describe the confusion and mutual contamination which results from mixing occasional shoplifters with systematic pickpockets—the accomplished purloiner of a silver creampot with the vulgar pilferer of a gin measure; the little respect to persons which omits to cast the parts in a convict ship with the elegant discrimination displayed in the *Beggar’s Opera*. Heretofore people have smiled at the pride of the highwayman who vented the feelings of gentlemanly scorn upon the unfortunate chimney-sweeper, whom the ultimate vengeance of the law had associated on the same scaffold. But those were not days of philanthropy, when the indignant reproach of the equestrian robber, “What right have you here, you scabbe villain?” could be recited as a joke.

Convicts sentenced to banishment for furtive delinquency may be divided into three classes,

twelve genera, seventy five species, and five hundred varieties. The three classes, cheat, steal, and rob. But the different expedients of fraud and violence who can enumerate? Intended benevolence, caught by the representations of the most plausible delinquent, easily slides into arbitrary favour. The accomplished villain, under colour of a petition, criminales the administrators of the law, and finds a ready advocate in the bosom of parliament.

Can an enlightened legislature institute any penalty for any crime? Upon the principles of natural justice, the philanthropist sees a difficulty, feels more than a doubt. I confidently put a dilemma, which may hereafter turn the combined fasces of the magistrate into independent hatchets for the woodman; convert the mural crown into a rural garland. If the offence is already committed, to punish it by an *ex post facto* law were unjust; and if the specific act has not been committed when the prospective law pronounces it to be a felony, a punishment is devised before any is merited, which is equally unjust. Now if all punishment is unlawful, transportation, as one of the modes of judicial severity, is unlawful; I therefore object to transportation *in toto*.

Having exploded all the old imaginary maxims of law, whether written nowhere, or recorded in black letter, I proceed to unfold a substitute for the practice of deporting *women convicts*, of that class which have hitherto been sentenced to banishment; not as a compulsory and debasing punishment, but as a voluntary and refining change of life and habit, of scene and occupation. The history of the Knights Templars is known to most general readers; so is the legend of the Amazons. My plan combines the features of those two societies. I sketch an outline of the first, not to convey

information of the past, but to chalk a loose model and the necessary alterations. The Templars, an order of *military monks*, had this origin. In 1118, some pious and noble crusaders made a vow, in the presence of the patriarch of Jerusalem, promising to live in perpetual chastity, obedience, and poverty. They found a powerful patron in Baldwin II. then king of Jerusalem, who gave them an apartment in his palace. Their first undertaking was to guard the highway against robbers. Among their voluntary mortifications, they bound themselves to fast four days in the week, and neither to hunt nor fowl. Proceeding on the analogy between a convent and monastery, I propose that an order of *military nuns* be instituted, and that they be endowed with the island of Ashtola, the ancient Karpine, on the coast of Mekran, as a perpetual fief. This community to be formed and successively renewed by the voluntary dedication to its rules of such women as qualify themselves for great reformation in morals by cheating, stealing, or robbing. The order to undertake the following active duties and mortifying privations. To guard the turtles of Ashtola from

the attacks of masculine enemies, whether seamen or landmen, epicures or hermits. To drive all the men residing, or in future debarking on the island into the sea. To fast, like the neighbouring Ichthyophagi, on fish seven days in the week; and to dress a turtle daily.

If it be objected to this proposal, that the nuns of St. Ashtola cannot be expected to preserve the reputation of their order for ever unblemished, since the Templars, after acquiring immense riches and eminent military renown, degenerated from arrogance to luxury, and from vice to crime, until in the year 1312 the whole order was suppressed, on account of cruelty, apostacy, impiety, and transcendent wickedness, suppressed with exemplary accompaniments of infamy and severity; the ready answer to this momento is a liberal commonplace now in fashion: "That lamentable consequence happened in the dark ages; the same thing never occurs twice, nor are similar causes likely to produce similar effects, if we open the old avenues to error, and erect anew the broken engines of tyranny."

A BENEVOLENT GOTHAMITE.

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*To the Editor of the Asiatic Journal,*

*London, 22d April, 1819.*

SIR:—I formed one of the constituent body in attendance yesterday, at the very interesting debate which took place in Leadenhall Street, on the subject of Mr. Wilkinson's claim on the honourable Company.

Although I admired the luminous arguments which were adduced in the progress of the discussion, I could not but seriously lament that it should have been protracted to so late an hour, as to cause the secession from the

court of many respectable proprietors, who, had they remained, would, I think, have been of the same opinion with myself, as to the equity of this gentleman's claim to a *liberal* compensation.

As the whole of the proceedings upon this case will doubtless appear in your next number, it will be superfluous to analyze them here; but I trust I may, without incurring the charge of presumption, be permitted to offer, through your medium, a few concise remarks as the ground-work upon

which I stand forward as one of Mr. Wilkinson's advocates, and which will induce me to continue to him my strenuous, though humble support, as long as he may stand in his present situation of an applicant.

It may not be unnecessary to premise, that I have no acquaintance whatever with Mr. Wilkinson; that I never saw him but at the India House, and that I was totally ignorant of all his pretensions to indemnity, or all circumstances connected with them, until I perused the printed papers a few days antecedent to the recent discussion. I merely mention this in the hope that any opinion I offer will be considered as an impartial and disinterested one, and not liable to the severe, and rather ungracious hint, which was thrown out yesterday by an hon. director, intimating that claims of this nature were too frequently substantiated through the preponderating influence of private friendship.

I deem it needless to enter at all into the minutiae of the transactions which gave rise to this appeal to the justice of the Company; it is sufficient for me that they have been amply detailed and laboriously investigated, both abroad and at home, by such a variety of constituted authorities, all of which have unequivocally declared that this gentleman has a very strong pretension to remuneration.

The only exception which occurs to this general recommendation is, that of a small proportion of our executive body having protested against the grant of any recompense whatever. That they have done so conscientiously I should be sorry even to doubt; but as one of those hon. gentlemen, in explaining the motives for his dissent, thought it necessary to use a quotation not quite applicable, in my humble judgment, to the result of his arguments, I shall also take

the liberty of introducing it here. He said "*fiat justitia, ruat cælum* ; now, I would beg to put the abstract question to any dispassionate and impartial understanding, whether it can be called justice to reject *in toto* a claim which has been recognized by every ordeal before which it has hitherto been brought, and that such rejection should take place after the party has suffered an intermediate mental anxiety not to be described, and incurred a long and harrassing journey from India to England, at an expense difficult to be estimated.

You will perceive, Sir, from these observations, that I am a voluntary partizan of Mr. Wilkinson, in as far as I do consider him *in foro conscientiae* to be entitled to indemnity for his cruel and severe disappointments; while with regard to the *quantum* of that indemnity I must take the liberty of saying, that it is materially to be measured by the dilatory proceedings which have hitherto withheld it.

There is an old though true maxim "*bis dat, qui cito dat*," and therefore I presume that if the supreme government had, in the first instance, exercised their wonted liberality by granting to Mr. Wilkinson a specific pecuniary recompense below what he now looks for, he would have been satisfied; it would have enabled him to continue his mercantile projects in India; it would have saved him the expense and solicitude of a tedious voyage to this country; and it would have obviated the necessity of any increased claim on account of such expense, or on the score of interest.

It was remarked by some of the hon. directors, that it was quite unprecedented to allow interest upon a grant. To this principle, generally speaking, I most readily subscribe; but under the peculiar circumstances of this case, I think it would be hard to admit of it's

full operation, because all the parties to whom this business has been referred, have recommended some proportion, or some rate of interest to be allowed on whatever might eventually be awarded to Mr. Wilkinson; but still, if it should *from principle* be deemed

inexpedient to admit of interest, it would be easy to add an equivalent to the grant itself, and thus maintain the principle inviolate.

I am, Sir,

Your most obedient servant,  
A PROPRIETOR.

*To the Editor of the Asiatic Journal.*

SIR:—The weight and bearing of individual cases submitted to the decision of the Court of Proprietors do not terminate with their consequences to the individuals immediately interested; but the votes are afterwards either drawn into precedents, or cited as corroborant authorities; I am therefore induced to send you a few remarks upon Mr. Wilkinson's claim, which after being discussed at two courts, is still to be agitated in a third. There is no certainty that it will have received a final decision before this can appear; but even if it should have been disposed of, the principles upon which a claim for hypothetical profits is advanced on one side, and entertained on the other, cannot be too closely canvassed. The stage of growth at which a compensation for no advantage rendered, no positive loss incurred, no undue sacrifice made, ought to be stopped and trained within proper limits, cannot be too plainly described. This claim is an air-plant which has not a pensile branch, that if inserted in the garden of law could be converted into a root, or would strike there; it can only live in the atmosphere of equity, and must be gently sprinkled with the dew of moderation. Too copious a jet from the well of favour had almost washed it to the firm ground, where it cannot flourish.

Let us look at the case impartially, and judge, if we can, as persons having neither an insensible share of minutely divided interest

in diminishing the compensation, nor the more striking object of promoting the advantage of an individual by swelling its amount. Seeing that neither public law, nor any compact between the resident merchant and the governing power, provides for the case, let us survey correctly the relations of the parties and the quantum of actual injury, and calculate a compensation according to the principles of equity.

1. We have to revert to the time, May 1812, at which the free trade in saltpetre was restrained. The Company had the right of trading exclusively in the commodity; and the resumption which shuts out the private merchant operates against, not one merely, but all the licensed merchants, whose residence and extent of trade in the territory depend alike upon sufferance. The dealers in saltpetre who had no contracts had equally to lament the non-receipt of expected profits: the contract cannot make the loss of profits more a legal ground of compensation than if there had been no contract; yet this is the basis of the claim. Had the contract involved the trader in a pecuniary penalty in case of non-performance, the measure of positive loss would have furnished an equitable ground for indemnity.

2. Mr. Wilkinson, and every licensed trader, knew that his engagements with native manufacturers of a prospective nature, must, as to the mutual ability of the parties to fulfil them, depend on the

greater or less extent to which the Company might choose to avail themselves of their chartered rights as merchants, and their power as sovereigns to regulate the internal commerce of the country. Contracts with the manufacturers of saltpetre, which it would require annual operations through a long period to complete, were in every stage liable to be set aside by the Company's resuming the monopoly of that branch of trade. Equity as well as law, gave the government power to dissolve them; for imagine the contrary to be the case, and the Company bound to submit to all the inconveniences inflicted by the private trader's contract throughout the whole term of it. Let us for a moment forget the true situation of a privileged resident, as Mr. Wilkinson does himself, through all the analysis of his case read before the court of the 24th of March. In one place he says: "from enacting a most rigorous monopoly, they derived that advantage, which in strict justice belonged to me, and which was secured to me by the most peremptory and legal engagements." For more, in this fallacious strain, see *Asiatic Journal*, No. 40, p. 457. If an individual trader may contract with a native manufacturer for five years to come as an infeasible right, why not for ten or fifteen years? And if one licensed merchant may do this, may not all the merchants of the same class, as far as their capitals will reach, do the same, extending their connections over the territory? Thus the Company might come to be excluded from being even competitors in the market with persons resident on sufferance. Mr. Wilkinson's local monopoly, by his own shewing (*Ibid.* page 452), raised the prices given to the manufacturers 70 per cent. above those of the commercial resident at Patna. The mere circumstance, therefore, of contracts for long terms being formed by private

forestallers, destroying the open trade permitted and intended to be maintained by the Company, would alone furnish an equitable reason why the Company should terminate such contracts by enforcing their exclusive rights.

3. On the other hand, the individual trader may reasonably expect to be indemnified from actual loss occasioned by his speculations being suddenly interrupted by the Company's resuming that branch of trade in which he had embarked; and the spirit of justice and liberality in which the Company conduct their affairs, makes it quite unnecessary to use any arguments to dispose either the directors or the proprietors to grant any amount of compensation which the equity of the case demands.

4. In this case it appears that there was no actual advance of capital to the manufacturers. (*Ibid.* p. 452.) The Board of Trade in Bengal, on the ground of allowing an equitable compensation, estimated the sum that should be given to Mr. Wilkinson at 75,000 rupees or £9,375 sterling. (*Ibid.* p. 457.) The committee of buying and warehouses adopted this estimate, adding interest at 6 per cent. from Oct. 11, 1816; and a majority of the Court of Directors, including the Deputy Chairman, approved the allowance of this sum by a resolution, dated the 19th of February, for submitting it to a General Court. The protest signed by a large minority of the Directors, including the late Chairman, dissents from the resolution, "because Mr. Wilkinson did not appear to have sustained any positive loss." (*Ibid.* p. 451.) The protest is farther supported by a clear enunciation of very forcible reasons, which it is incumbent on Mr. Wilkinson to answer, by a distinct statement of the amount of decisive loss sustained. The protest particularly objects to interest on a boon as a perfect novelty.

5. The amount of the compensation due in equity, and voluntary equity is liberality, can merely be a sum sufficient to cover the expense incurred in diverting the capital to some other pursuit, or the temporary loss of all returns from suspending its activity, or in making arrangements for drawing it from trade altogether. But as no advances were made on the contract, it does not appear that there was any preparatory diversion of capital; in consequence of which, Mr. Wilkinson might suffer any temporary loss from its non-employment before he could invest it anew or collect the scattered funds. But when a prospective private monopoly is thus destroyed *ab initio*, even supposing there is no field of adventure in which the licensed trader can engage with profit, the terms on which his residence is permitted do not make it incumbent on the Company to find, or to open to him another branch of trade; he is only to be indemnified from actual damage.

6. To glance at the Calcutta report: Mr. Wilkinson says, (*Ibid.* p. 455,) "I solicited no voice in the nomination of the persons to whom my case should be referred: I was indifferent on that point." Yet afterwards he states (p. 456), "I was anxious, when such a committee was about to be appointed, to have had the nomination of one of its members. The propriety of this I suggested, but my suggestion was immediately declined." His object appears to be, by this remark, to make the court understand that he was not personally known to the committee to whom the Governor-general referred his case for further information, and not to complain of their report. The committee who accordingly investigated Mr. Wilkinson's case at Calcutta, consisting of three covenanted servants and two private merchants, fixed, in their report to the Governor-general in council, on the sum of

2,88,000 sicca rupees, as the lowest compensation which they could recommend to be given. (*Ibid.* p. 456.) The protest of a minority of the Directors, before ad-  
 verred to, states that the adjudication by the Board of Trade of 75,000 sicca rupees rests on *data* perfectly erroneous. What *data* then must the calculation of 2,88,000 rupees rest on? One of the pillars of the lofty pile is 6,00,000 rupees, the amount of the penalties for the last three years of the contract. (*Ibid.* p. 456). Mr. Wilkinson's own analysis says (p. 455), the resumption by the Company "effectly annulled his engagements." Yet he had been repeatedly offering for a limited profit to wave the advantages of his contract in favour of the Company, instead of retiring from it as a transaction annulled. But why was not the small profit at which he offered to transfer his advantages made the basis of the lowest compensation to which the committee of Calcutta could descend? Or why does he demand, in advancing his final claim, more than that overture aspired to obtain?

7. To calculate the hypothetical profits of a five years contract, on which no advances were made, as the basis of the compensation demanded, is upon the face of it a monstrous proposition for commercial avidity to make; to calculate them on the first two years of the term—during which the Company's resumption of the exclusive trade in saltpetre was maintained—as the fundamental *data* on which the Calcutta committee carried their estimate to the giddy height of 2,88,000 sicca rupees, implies an abandonment of the Company's right to exercise their chartered privileges and governing power. In investigating the negative profits, these inquirers overlooked the positive loss. Perhaps it was invisible! From first to last, the capital remained in the hands of the trader, apparently otherwise

employed. Supposing for a moment Mr. Wilkinson were awarded a compensation calculated on the hypothetical profits for a given number of years; the engaged capital during the same time, estimated by the hypothetical advances and payments, would really be due to the Company as a loan; and interest upon it, according to the legal rate of the country, ought to be set off against the assumed profits. But this were to meet an unreasonable demand too much in its own spirit.

8. To conclude, the journeys of Mr. Wilkinson from Goruckpore to Calcutta, and back again, would in the aggregate expense incurred constitute a heavy item of positive loss: but they were commenced in the endeavour to negotiate a

transfer of the hypothetical advantages of his contract to government, as if he had a legal right in it. He resorted to this course of negotiating for high advantages, instead of soliciting mere indemnity--in his own wrong.

That the amount of compensation to this gentleman should, after two debates, still depend upon the vote of the proprietors, is entirely owing to the injudicious tenacity of his friends and advocates in asking too much; which, when they come to review the case as standing on its naked merits, they may be expected to acknowledge. I approached the subject, and have endeavoured to treat it, as one of political importance.

A JURIST.

London, 12th May, 1819.

*To the Editor of the Asiatic Journal.*

London, April 23, 1819.

SIR:—In a letter which I sent for publication, dated the 10th inst., I find I have been under a very palpable error, in stating that the Marquis of Hastings issued orders as to the punishment of the refractory, *subsequent* to his approval of the proceedings of Talneir. As this mistake will materially weaken my arguments, and has proceeded from an entire oversight, on my part, of dates, I hope I am in time to correct it, and accordingly send you the paragraphs of the letter which I am very desirous should be amended as they are now marked. With many apologies for this trouble, I am, Sir,

Your very obedient servant,

A PROPRIETOR.

*Para. 6 & 7.* There is another point which has been urged in extenuation of this (to use the mild epithet of the hon. proprietor Mr. Hume) unfortunate act; viz. that it had been approved by the noble Marquis who is at the head of our Indian administration. But much as I value the character of that exalted nobleman, and much as I should consider any act to

be mollified by his superior approval of it, I certainly cannot consider that in this instance his Lordship's approbation was an unqualified one; for we find that he had previously given *specific* directions with regard to the course which should be pursued on similar occasions; namely, "that individuals so circumstanced should be tried by a court martial, by whom their sentence was to be pronounced. If found guilty they were to be sentenced to imprisonment and hard labour, and if found again exciting resistance to be punished with death."

7. These instructions were doubtless formed upon a wise, liberal, and humane policy, which shewed his Lordship's disposition *parcere subjectis et debellare superbos*. But, Sir, the inference which I draw from them is this, that although his Lordship might virtually have approved the proceedings at Talneir, yet that the very summary mode of punishment which had been resorted to at that place was not quite reconcilable to his feelings or compatible with the antecedent injunctions which he had communicated on another occasion.

These paragraphs to be substituted for two in No. 41, p. 487.

## COMPARATIVE STRENGTH

OF

## SHIPS BUILT IN DIFFERENT PARTS OF THE WORLD.

THE following summary is by a correspondent of the *India Gazette*, in answer to a "Subscriber," soliciting information on the subject.

The superior excellence of teak timber, both as to strength and durability, in the construction of ships, is now so incontrovertibly established as to give a decided preference to ships built in the East Indies; and therefore I shall offer no apology for giving them a decided preference over those built in Great Britain, and shall therefore proceed to class them in rotation, affording a short explanation descriptive of the reasons for such arrangement, and leave each reader to consider of the short arguments so adduced in support of such classification, and to form his own opinion, if unsatisfied with my statement.

**1st class.**—*Ships built of Teak at the Ports of Calcutta or Bombay.*

Ships constructed at Calcutta or at Bombay entirely of teak are very strong and durable, and decidedly superior to British ships, which being constructed of wood liable to the dry rot, are but very precarious. And instead of the wooden trunnels used to fasten ships built in Europe, the size of which must much weaken the timber perforated to receive them, and afford but little strength, the ships built at Calcutta or Bombay are entirely secured by copper or iron fastenings, and are consequently superior both as to material and combination.

**2d class.**—*British-built Ships from 350 to 600 tons, or Free Traders.*

Ships from 350 to 600 tons are sufficiently large to resist the violence of the sea, and in fact are generally better sea boats than larger vessels.

*Ships built at Cochin or Malabar Coast and Java.*

As there is less difficulty and expense in procuring scantling to afford sufficient strength than to construct larger vessels, it is to be presumed they are in general stronger than the larger class of merchant ships, such as the East-India Company's regular or large extra ships.

**3d class.**—*The H. C. Regular and Extra Ships in general.*

In classing the H. C. ships in the 3d class, it may be requisite to observe, that although in point of stores they may be better found than the ships placed in the 2d class,—still as they are merchant ships, constructed for burthen and always loaded to their utmost capacity. The guns placed

on their decks more than counterbalance their superior equipment, render them more liable to labour and strain in bad weather, tend to lumber the decks of a ship already full of cargo, and indeed must make them more dangerous and less manageable than a ship merely laden with merchandize unincumbered by heavy pieces of cannon.

**4th class.**—The Dutch and Danish are in general good Europe-built ships and well managed. The French, rather inferior to the Dutch and Danish ships. The American ships are in general very slight, being often built of green timber, but are well managed. The Portuguese and Spanish are in general good ships, but very badly managed.

MERCATOR.

Calcutta, Oct. 2, 1818.

The following review of the above classification of shipping by their build, shewing cause for dissenting in opinion from Mercator, is taken from the *Madras Courier* of December 15.

In comparing a ship built at Bombay with those built at Calcutta, it must be premised that a Bombay built ship of twenty-five years of age is as good as a Calcutta built one of fifteen, depending not on the science or workmanship, but on the wood alone. This assertion cannot be doubted, when we can point out many Bombay and Surat built ships of twenty-five, thirty, thirty-two, and forty years standing, whilst there is scarce a Bengal built ship of twenty years now afloat.

|                                                       |       |
|-------------------------------------------------------|-------|
| This being admitted, the Bombay ships stands as ..... | No. 1 |
| Surat ships, when built by competent persons .....    | 2     |
| Cochin ships, when so built .....                     | 3     |
| Damaun ships, when so built .....                     | 4     |
| Calcutta built .....                                  | 5     |
| The H.C. 800 and 1200 ton ships ...                   | 6     |
| English river built ships, 2 to 600 tons              | 7     |
| Ditto out ports, 2 to 600 .....                       | 8     |
| American ships, 2 to 500 .....                        | 9     |
| Java built ships .....                                | 10    |
| Chittagong .....                                      | 11    |
| Pegu .....                                            | 12    |

The above statement relates only to their relative durability, and when constructed by professional and scientific men. Ships whose planks are nailed or bolted are no doubt safer than those whose planks are only secured with tree nails. This was verified in Bombay by a



Mr. Stalkart in 1801, when a ship of 400 tons with tree nails was built at Colabah, under his immediate inspection; but though the timber was as good as any that Bombay produced, and the utmost science was displayed in her construction, she never was a good ship.

The ships built at Calcutta must, from the circumstance of the wood being inferior, always fall behind, not only ships built at Bombay, but those built at Surat, Cochin, or Damaun by professional men.

Mercator says, "from the difficulty and expense in procuring timber large enough to construct large vessels, that ships of 350 to 600 tons are stronger and better sea boats than larger vessels, such as the East-India Company's regular and extra ships."

If 1200 ton ships were built of the same scantling as those of 600 tons, this might be admitted. Defective ships are built all over the world, but few men of character, in the present day, would hazard the building of a ship that would not bear the test of examination.

Mercator has classed the H. C. ships in the third class, and observes, "that though in point of stores they may be better found than other ships, still as they are merchant ships constructed for burthen, and always loaded to their utmost capacity, the guns placed on their decks more than counterbalance their superior equipment, render them more liable to labour and strain in bad weather, and tend to lumber the decks of ships already full of cargo, and indeed must make them more dangerous and less manageable, than a ship merely laden with merchan-

dize, unincumbered with heavy pieces of cannon.

That some of these ships have been occasionally overladen, and in consequence some of them suffered, may some of them have been lost, cannot be denied: but in many cases the guns they carry are of essential use to them, and on their outward bound passage most particularly so. If a ship that does not carry guns becomes laboursome at sea, from being laden deeply with dead weight, the first impulse is to raise the centre of gravity by transferring a part of the weight to the orlop and gun-deck, which is always found to have the wished for effect. Ships with a European crew, and a proportionate number of officers like an Indiaman, have no room for cargo in the gun-deck, it being all appropriated to the guns and the accommodations of the crew. It is rather invidious to say any thing of the management of ships in general; there are excellent seamen among all the European nations, and we have seen both ill and well managed ships amongst them: nor can we agree, as to what Mercator says, that American ships are in general very slight, and built of green wood; we have seen some as fine American ships as ever swam.

A case has just occurred in point. The disaster that has happened to the Hastings appears to have arisen from her having been too deeply laden, and in consequence very laboursome from having the centre of gravity too low: and which would not have happened if she had had a tier of ordnance on her gun-deck; or if a part of her cargo could have been readily transferred it would have been remedied.

## TERRITORIAL DEBTS OF THE COMPANY.

(From Parliamentary Papers.)

*Account of the Amount of the Territorial Debts owing by the East-India Company, at their several Presidencies in the East-Indies, according to the latest advices; and the Rates of Interest which such Debts respectively carry:—*

|                             | BENGAL.     | MADRAS.    | BOMBAY.  | TOTAL.      |
|-----------------------------|-------------|------------|----------|-------------|
| Debts at 6 per cent.....    | £26,268,352 | £2,358,183 | £432,188 | £29,058,723 |
| Debts at 8 per cent.....    | 13,444      | 17,600     | ..       | 31,044      |
| Debts at 9 per cent.....    | ..          | ..         | 80,831   | 80,831      |
| Debts bearing Interest....  | 26,281,796  | 2,375,783  | 513,019  | 29,170,598  |
| Debts not bearing Interest. | 3,938,125   | 821,344    | 254,070  | 5,013,532   |
| Total Debts in India. ....  | 30,219,921  | 3,197,127  | 767,089  | 34,184,137  |

At Bengal, Current Rupees..... at 2s.

At Madras, Pagodas..... at 8s.

At Bombay, Rupees..... at 2s. 3d.

W. WRIGHT, Auditor of India Accounts.

## SINENSIANA.

*(From the Indo-Chinese Gleaner No. IV.)*

## SECRET ASSOCIATIONS.

*Peking, Oct. 7.*—One of the imperial kindred is charged with being connected with a society whose nature and object are said to be rebellious. His Majesty was at his summer's residence in Tartary, (Je-ho, the hot river,) when the information reached him. He in consequence ordered the kings, nobles, and principal statesmen, whom he had left in Peking, to assemble and try the parties implicated. A eunuch is one of the number. Subsequently, however, the Emperor changed his mind respecting the mode of trial. He degraded his kinsman from his natural rank, dispensed with the attendance of the kings and nobles, and sent from Tartary a confidential minister, to preside on the trial, before the criminal court, called Hing-poo.

Associations of a secret nature, (for the government disallows of any, the association of five persons is illegal) seem to increase in China. Their names are very various. The one referred to above is called "*The great ascending society.*" Others are called "*The society of glory and splendour;*" "*The union of the three great powers, viz. Heaven, Earth, and Man.*" Other names are quaint and ludicrous; such as "*The white jockets;*" "*The red beards;*" "*The short swords;*" and so on. The sect of the "*White water-lily*" is of long standing. The third one prevails much in Canton, and the new Viceroy, Yuen Tsin, has commenced with great severity against them. Between two and 3000 have, it is said, been recently apprehended. At the rite of initiation into this society, which is performed at night, they make a paper effigy of the reigning Emperor, and require the novice to cut it to pieces.

## CRIMINALS.

1817. The death warrants to be signed by his Majesty, at the autumnal execution, amount this year to 935. In this number is included the lowest class of capital crimes. The share which Canton has in these this year, is 133; but to the whole number executed in Canton during the year, the word thousands, it is said, must be applied; some say 3000. If the truth be equal to 1000, it is a shockingly awful number of human beings for one province to sacrifice to the laws, in the space of one year.

## \* WANT OF RAIN.

*Peking, June 20, 1817.*—The following

is his Majesty's pleasure, this day received with due respect.

"At the capital, the season of rain having passed without any genial showers having fallen, the board of punishments is hereby ordered to examine into the cases of all the criminals sentenced to the several species of transportation and lesser punishments, and report to me distinctly what cases can be mitigated, in the hopes that nature will thereby be moved to confer the blessing of rain, and preserve the harmony of the seasons. Respect this decree."

On reading the above, one's mind naturally refers to the words of prayer, dictated by our Saviour, "Forgive us our trespasses, as we forgive them that trespass against us." The principle implied seems to be the same in the Lord's prayer and in the Emperor's decree, the first being applied to individual, and the last to the national affairs. May the state forgive those who trespass against it, in a way similar to the case of individuals?

There are in Chinese history very early instances of Emperors granting the remission of crimes with the same view as that mentioned above. I remember one case, in which a statesman or historian objected to the measure, by saying, that the affairs of the seasons were regulated by a fixed numerical fate, and certainly were not to be changed by declining to inflict what justice required. In this opinion, there appears a sprinkling of atheism with the specious but hard-hearted reasoning to which atheistical principles lead.

In the Emperor's decree an over-ruling Providence is acknowledged, and that mercy is an attribute of Providence. Of the Being in whom that supreme controul resides their ideas are extremely obscure. When any Chinese is asked, "who is to be moved by this act of clemency?" he replies, "*Tien T'e,*" Heaven and earth.

The harvest has been bad in Shan-tung and in Chih-le; a hundred districts have suffered from drought and from hail.

No accident has occurred from the Yellow River overflowing its banks or shifting its course, for which his Majesty feels grateful to the *God of the river* and the Presiding officer.

## RELIGIOUS MEETINGS PROHIBITED.

It has been stated to the Emperor, that in Keang-nan there is a temple on the hill, called Maou-shan, to which thou-

sands of people, men and women, resort twice a year, in spring and in autumn, to burn incense and give thanks to the gods. Similar meetings occur also in Keang-se, Gan-hwuy, and Che-keang. His Majesty prohibits all such proceedings, and disallows people going beyond their own district for religious purposes, because all such meetings occasion a waste of time and money, are injurious to morals, and afford pretexts for illegal associations. Those who shall form societies and collect money, are ordered to be taken up and punished.

#### PROPOSAL TO DESTROY THE GODS.

Nov. 1817.—Much concern had been manifested in Peking by his Majesty and his ministers, in consequence of the drought existing this season. The persons in the country who have the privilege of writing to the sovereign, had many of them poured in their opinions and advices; some recommending one alteration in the details of government, and others another, for the purpose of removing the evils acknowledged to exist. His Majesty, however, is displeased with these various proposed alterations, and commands that no more be sent to him; for frequent changes (he says) are unbecoming the dignity of government.

One person in Shan-tung sent a sealed paper to the Emperor, and amongst other counsels, recommended that a deputation, composed of some kings, the late premier Sung-tajin, and others, should be sent round the empire to inquire into grievances; and as to the drought, he suggested, that inasmuch as the emperor himself had condescended to supplicate rain, if it should not come speedily, the idol gods of the temples where his Ma-

jesty worshipped should be broken to pieces. However, the imperial council is of a different opinion from this Shan-tung writer; and it has decided, that he should be escorted to the river Amour, or as the Chinese call it, the Black Dragon River, on the Russian frontier, and on arriving there, be delivered to the soldiery as a slave destined to bitter toil.

We have all heard of some Christians (so called) flogging the images of their tutelary saints, St. Anthony and others. They feed upon ashes! a deceived heart hath turned them aside; so that they are unable to say, "Is there not a lie in my right hand?" and fling from them at once their dumb idols and their delusion.

#### CHINESE DESCRIPTION OF A GOOD GENERAL.

A few days ago, (written about April 1818, in Malacca,) I chanced to be looking over the *Lee-k'he*, an ancient Chinese book, in the commentary of which the following description of a good general is given. Perhaps it may not be wholly void of interest to those who like to compare ancient things with those that are modern, and things of other nations with the same things in their own.

Chin-tsheang-taou says, "the minister of a prince, should possess self-annihilation.\* Hence the very day that a good general receives the command of his sovereign to prepare for the field, he forgets his family. Having arrived at the army, in issuing his orders to arrange the battle, he forgets his relatives. Having given the signal for attack, he forgets himself."

\* I. e. Should have no will or interest of his own.

### CHINESE STONE YU.

MANY of my readers are aware that there is a stone of a greenish white colour, and considerable hardness, to which the Chinese give the name of Yu, and which they prize more than any other stone. It is said to occur in the form of nodules in the bottom of ravines and in the beds of torrents, and in larger masses in the mountains themselves, especially in Yunan, one of the most northern provinces of the empire. It has been long known in this country under the name of Chinese jade or nephrite; but Prof. Jameson, in the last edition of his Mineralogy, vol. i. p. 505, assures us that it is prehnite. The following are the cha-

racters of this mineral, as given by Mr. Clarke Abel, in his Narrative, &c. p. 134.

"Its colour is greenish white, passing into greyish green and dark grass green. Internally, it is scarcely glimmering. Its fracture is splintery; splinters white. It is semi-transparent and cloudy. It scratches glass strongly; and is not scratched by, nor scratches, rock crystal. Before the blow-pipe it is infusible without addition.

- |                                                |              |
|------------------------------------------------|--------------|
| 1. Whitish green, marbled with dark green..... | Sp.gr. 3.330 |
| 2. Dark green variety.....                     | 3.190        |
| 3. Whitish green variety, same as No. 1.....   | 3.400        |
| 4. Light-coloured greenish white-variety.....  | 2.858        |

"The specimens, of which the specific gravities are as above, were all, except the last, furnished me by the kindness of Sir George Staunton. The last is precisely of the same nature as the sceptre sent to his Royal Highness the Prince Regent, and was put into my possession for the purpose of examination by the Hon. Mr. Amherst, to whom it was presented by one of our attendant Mandarins."

The only part of this description which cannot be reconciled to prehnite is the in-

fusibility before the blow-pipe. The specific gravity of the fibrous variety of prehnite is 2.901, its hardness is nearly the same as that of the Yu; and though its fracture is always fibrous, yet I can conceive it to be described by a person not familiar with the external characters, as having a splintery fracture, which is not altogether erroneous. The infusibility before the blow-pipe seems to separate the Yu both from prehnite and from nephrite, to which Mr. Abel refers it.

## COMPARATIVE TABLE OF JAVANESE MEDICINES.

(Concluded from p. 494.)

### (A)

*Articles introduced into the system of Materia Medica.*

#### STIMULANTS.

*Amomum cardamomum* (kapol); *amomum zingiber* (dshey); *amomum zerumbet* (lampooyang); *alpinia langgas* (lowse); *curcuma rotunda* (tommo); *kæmpferia galanga* (koontshut); *kæmpferia rotunda* (kooutshee); *acorus calamus* (deringgo); *piper longum*; *piper cubeba*.

#### MILD AROMATIC STIMULANTS.

*Andropogon schoenanthus* (serce); *ocymum basilicum*, (komang-gi); *ocymum gratissimum* (selasse); *ocymum tencriflorum* (lampes). *None in (B) and (C).*

#### NARCOTIC STIMULANTS.

*Datura ferox* (kootshooboong); *datura fastuosa* (k. kassian); *menespermum cocculus* (perou); *strychnos colubrina* (vidaro pait); *solanum nigrum*; *cannabis sativa* (gindshe). *None in (C).*

#### TOPICAL STIMULANTS.

*Exotics cultivated on Java.*

*Anethum fœniculum* (adas); *anethum graveolens* (moongsj); *carum carwy*, (dshintan); *pimpinella anisum* (adas manis); *ruta graveolens* (ingoo); *sinapis* (sesawee); *salvia officinalis*; *rosmarinus officinalis*; *mentha crispa*; *m. piperita*.

#### TONICS.

*Ophioxylum serpentinum* (poole pandak); *ophiorhiza mungos*; *tumaria officinalis*.

#### ASTRINGENTS.

*Punica granatum* (delima); *areca catechu* (pinang djambi); *lawsonia inermis* (patjar).

### DIURETICS.

*Spilanthus acmella*.

### ANTHELMINTICS.

*Colichos pruriens* (rawe).

### CATHARTICS.

*Tamarindicus indica* (assem); *cassia fistula* (toong-gooli); *ricinus communis* (dsharak); *croton tiglium* (tsheraken); *tatropia carcas* (dsharrak pagger).

### EMOLLIENTS.

*Sesamum indicum* (wcedshen); *andropogondulce* (tekkee); *adanthum capillus veneris*; *trifolium melilotus zreba*; *sapindus saponaria* (rarak); *cordia myxa* (kendal).

### (B)

*Articles mentioned by writers on Indian Plants.*

#### STIMULANTS.

*Vitex trifolia* (lagoondi); *vitex negundo* (lagundi lawt); *baccharis indica* (bolontas); *solanum indicum* (trong-ngor); *laurus malabratum* (sintok); *piper peltatum* (gebumbo); *piper medium* (wode); *piper terrestre* (katshur).

#### NARCOTIC STIMULANTS.

*Corbera mangas* (bintaro).

#### TOPICAL STIMULANTS.

*Guilandina moringa* (kellor); *euphorbia firucalli* (kayeo oorb); *ixora coccinea* (sooko); *plumbago rosea* (kambang gennee); *cassia alata*, *arum* (sente). *None in (A) except Exotics; none in (C).*

#### TONICS.

*Tabernæmontana citrifolia* (poole); *rhamnus jujuba* (widoro); *gmelina Asiatica* (waren); *lobelia plumeria* (po-

rang); *volcanieria inermis* (gambir); *oxalis sensitiva* (kating-ang); *ocimum tuberosum* (kentang dshawa); *mirabilis* (girmot); *aristolochia indica* (wallas); *minispermum* (pootro-wale).

#### ASTRINGENTS.

*Pterocarpus draco* (sono ausana); *garcinia mangostana* (mangis); *spondias* (kadondong); *sandoricum* (sottal); *cratæva marmelos* (modsho); *tectona grandis* (dshati); *morinda citrifolia* (bangkoedoo); *sterculia foetida* (dshangkang); *phyllanthus emblica* (melloko); *melastoma malabathrica* (siggawe); *tices caprificus* ambonenses of Rumphius; *casuarina equisetifolia* (tshomoro).

#### AROMATIC ASTRINGENTS.

*Guaria* (lolowan); *guarea* (kapog gu-noong).

#### DIURETICS.

*Polyscias doubtf. sp.*; *bromelia ananas*, *verbesina* (sroonen); *smilax*, *doubtf. sp.*, *hydrocotyle asiatica* (pang-gaga); *ruellia* (kraknassi); *cauarium comane* (the gum); *cyperus rotundus* (tekkec); *phyllanthus niruri* et *urinaria*; *croton*, *doubtful species*.

#### ANTHELMINTICS.

*Guilandina* (kleetshee); *quisqualis indica* (oodani dshogou); new genus (pangium of Rumphius); *doubtful genus* (langseb); *carica papaya* (kates).

#### CATHARTICS.

*Cerbera mangas* (bintaro); *hernandia sonora* (bongko); *excacaria agallocha*; *basella rubra*; *euphorbia fruealii*; *euphorbia neriifolia*.

#### EMETICS.

*Asclepias gigantea* (wadoori); *cicca destichia* (tshermay); *justicia gandarussa* (gandarussa); *mimosa scandens* (gandoo); *crinum asiaticum*. None in (A).

#### EMOLLIENTS.

*Hibiscus rosa sinensis*; *hibiscus tiliaceus*; *hibiscus mutabilis*; *hibiscus populneus*; *sida abutilon*; *cassia planisiliqua*; *dracæna terminalis*; *acalypha hispida*; *plumeria* (mandakakki); *callicarpa*, two sp. (maniram and songko); new genus (kawau); *morus indica* (bobussaran); *acchyranthes lappacea*, *barleria prionitis* (landul); *helicteres isora*; *musa paradisiaca* (gedang); *corypha umbraculifera* (gobbang); *abrus praccatorius* (saga); *convolvulus pascapæ*; *bryonia cordifolia* (papassan); *melastoma* (tshampaka); *calophyllum inophyllum*; *cotyledon laciniata*;

*stapelia* (pitshisan); *acanthus ilicifolius* (deheroodsho).

#### (C)

#### New Medicines.

#### STIMULANTS.

*Tacca pennatifolia* (ting-geelingmentik); *laurus* (krangeang); *betonica* (tshoon-gul); *valeriana* (kettool gonoong); *eupatorium* (te-goonoong); *doubtf. genus* (welooing); *doubtf. genus* (randoo-basin); *amyris protium* (tong-gooli); *andromeda* (gondopooora).

#### TONICS.

*Chloranthus spicatus*, *brucea* (trowalot); *brucea* (patty-lallar); *minispermum elengi* (tandshung); *ophioxylon spin* (koodoo-kras); *ophioxylon spinosa* (poolean); *tabernaemontana* (leggarang); *doubtful genus* (porono - dsheewo); *artocarpus* (kloowi); *polygala* (sidogoory lanang); *melothria* (sirahan).

#### ASTRINGENTS.

New genus (S. Scoren); *inocarpus edulis* (gajam); *aspidium pyriferum* (dshambo bidshee); *peschynomene grandiflora* (toori-miera); *fermalia* (dshow-lawe); *spondias new species* (rouwe); *sandoricum* (kedooyoo); *celtis orientalis* (angroong); *phyllanthus* (lamir); *doubtful genus* (amput); *doubtful genus* (weyoo); *doubtful genus* (gintoongan); *doubtful genus* (teagec); *mimosa* (suggawe); *mimosa* (peelang).

#### DIURETICS.

*Artemisia* (godomollo); *elaecarpus* (redjosso); *elaecarpus* (komessoo); *indigofera* (tomtoman); *sambucus* (patce-woolan); *sphaeranthus indicus*.

#### ANTHELMINTICS.

*Melia azedarach* (miudi); *melia azadirachta* (imbo); *contorta* (alla-antong); *datura fastuosa* (kootshoo-boong); *brucea* (trowalot); *tabernaemontana* (poele); *tabernaemontana* (leggarang); *ophioxylon serpentinum*.

#### CATHARTICS.

*Dais octandra*; *croton new species* (adal adal); *plumeria obtusa* (kambodsha); *cassia sophera*.

#### EMETICS.

*Ficus* (awar awar); *Boerhavia diandra*

#### EMOLLIENTS.

*Verbesina biflora* (oerang aring); *laccalia soucifulia*; *sonchus oleraceus*; new genus (som djowa); *lichen* (djamoool batoo).

## VARIETIES.

## ANECDOTE OF ABBAS MIRZA, CROWN PRINCE OF PERSIA.

Abbas Mirza, crown prince of Persia, is one of the most remarkable men of our times. He was born in the year 1782, and every body expects great changes when he ascends the throne. His intercourse with learned Europeans; his speaking the English and French languages very fluently; his introduction of the European military system and discipline, and forming on that system a body of about 10,000 infantry and a considerable corps of artillery, and other measures, display a mind of no common order. Moritz Von Kotzebue relates the following anecdote of him: "The Russian ambassador perceived, in the garden belonging to the prince, a projecting corner of an old wall, which made a very ugly contrast with the rest, and disfigured the prospect. He asked Abbas Mirza why he did not have it pulled down? 'Only think,' replied the prince, 'I have bought this garden from several proprietors in order to make something magnificent; the proprietor of the place where the wall projects is an old peasant, the only person who positively refused to sell me his piece of land, as he would not part with it at any price, it being an old family possession. I must confess

it is very vexatious, but notwithstanding, I honour him for his attachment to his forefathers, and still more his boldness in refusing it me. But I will wait till an heir of his shall be more reasonable.'"

## COST OF A WATERLOO MEDAL.

A Frenchman meeting an English soldier with a Waterloo medal, began sneeringly to animadvert on our government for bestowing such a trifle which did not cost them *three francs*. "That is true, to be sure," replies the hero, "it did not cost the English government *three francs*, but it cost the French a *Napoleon*!"

## ANECDOTE

FROM THE TOHFET AL MUJAILIS,

*Translated by Jonathan Scott, Esq.*

A SYED had a quarrel, and in the course of his dispute said to his antagonist, "How darest thou, fellow, to oppose and revile me, when thou art commanded in the sacred Koran, after every prayer, to reverence and bless me? for it is written, 'thou shalt say, Oh, God! send blessings upon Mohammed and his descendants.'—" "True," said the man, "but the words *pious* and *virtuous* follow in the sentence, and thou art neither."

## POETRY.

## TARTARUS.

*From the Survaswa Purana, or Compendium of the Pûrânas.*

## THE ROAD TO THE JUDGMENT SEAT OF YAMA, THE HINDU PLUTO.

Far to the South extends the drear domain  
Where VAIVASWATA holds his gloomy reign,  
And on the shadowy people of the tomb  
Declares the last irrevocable doom.  
The purer spirits heavenly cars convey  
Swift to the regions of eternal day;  
Where cates ambrosial and immortal food,  
And love and wine, and pleasure wait the good.

But ruthless fiends at Yama's mandate bear [spair;  
The damned to scenes of horror and dread  
Is the path that leads to their abode,  
And rocks and chasms wild obstruct the road;  
Beneath are thorns, and stakes, and burning sand,  
And thickest darkness shrouds the fatal land.  
No lively radiance cheers the mournful way;  
But the dull glare that heated peaks display  
Of iron mountains—or the fiercer glow  
Of flaming forests—lights the world below.  
Now on the shrinking soul comes, driving fast,  
The chilly hail-storm or the sultry blast;

Now scorching whirlwinds through the welkin fly,  
 And now the flaky snow-drift sweeps the sky.  
 Each insect vile, each form of reptile birth,  
 Wings the hot air, or tracks the slimy earth.  
 Each beast of blood stalks lowering round the throng,  
 And maddening elephants speed fierce along;  
 While o'er the path the monster serpent hangs,  
 Rears his fell crest, and whets his venom'd fangs;  
 The shadowy train attending demons urge,  
 And goad with javelins, or with lashes scourge,  
 As faint they toil along; and scalding tears  
 Too late bespeak their sorrows and their fears.

“ \* \* \* .”

#### THE APPEARANCE OF YAMA.

The Judge of Hell a double semblance bears,  
 And to the good a smiling aspect wears,  
 Who in his countenance, delighted, trace—  
 Such is his will—a once loved father's face.  
 Not such the sinner views; his eye, distraught  
 By each distempered and accusing thought,  
 Beholds with terror YAMA's towering size  
 Ascend like golden Meru to the skies.  
 His eyes are flame, sharp bristles clothe his head,  
 And o'er his breast a shaggy beard is spread;  
 Wide is his mouth; and yawning, ponderous rows  
 Of tusks—the Ethiopian lips disclose.  
 Sable his body's hue; and round him rolled,  
 Floats the red vest in many a sanguine fold;  
 While his vast hands, in manifold array,  
 Each weapon of hell's armoury display.  
 A giant buffalo the god bestrides,  
 And shouts aloud; such sound vexed ocean's tides  
 But faintly emulate, and such as Heaven  
 Shall scarce re-echo, when, through ether driven,

Comes the dark cloud whose bursting waters sweep  
 The wreck of worlds to one unbounded deep.

Around the judgment seat of YAMA wait,  
 Slaves of his mighty will, Death, Time, and Fate;  
 And wrathful Pestilence, and slow Decay  
 That gently whiles the life of man away;  
 Disease's ghastly and innumerable train,  
 And each dark shape of Agony and Pain.  
 And fiends and imps of hell, a countless swarm,  
 Of aspect gaunt and of terrific form,  
 Wielding the sword and shaft, the club and knife,  
 And each dread engine threatening man's frail life.

“ \* \* \* .”

#### YAMA'S ADDRESS

##### TO THE SOULS OF WICKED KINGS.

Hail! mighty potentates, whose earthly pride  
 Spurned all controul, and every law defied;  
 Whose transitory rule no end has sought  
 But low indulgence of each grovelling thought;  
 And whose ambition, violence, and lust,  
 Insatiate avarice and will unjust,  
 Have cursed the subject race that regal care  
 In peace should cherish, and in war should spare!  
 Reap now the fruit of your tyrannic deeds;  
 A heavy penalty to crime succeeds.  
 Where are the realms that groaned beneath your power?  
 The nymphs that heightened each luxurious hour?  
 Where all that tempted ye to evil, flown?  
 Wretches! here.—naked, helpless, and alone—  
 Call for your guards, your instruments of wrong!  
 Brave to the poor, and in oppression strong!  
 Where are they now?—ho! ministers attend;  
 Scourge me these kings; and see who dare defend.

“ \* \* \* .”

## DEBATE AT THE EAST-INDIA HOUSE.

*East-India House, April 21, 1819.*

A special general court of proprietors of East-India stock was this day held pursuant to adjournment.

The minutes of the last court having been read,

The *Chairman* (Campbell Marjoribanks, Esq.) said, that certain papers which had been presented to parliament since the last general court were now laid before the proprietors, agreeably to the by-law, section 4, chapter 1.

The titles of the papers were read as follow :

Resolutions of the court of directors, being warrants or instruments for gratuities or pensions, presented to the house of lords.

A return of all the Company's military force, regular and irregular, distinguishing his Majesty's troops from those of the Company, and specifying also the number of native and foreign troops.

An account of the territorial debts due by the Company according to the latest advices, and the interest such debts respectively carry.

The *Chairman* said, he had farther to acquaint the court, that in conformity with the 19th section of the 6th chapter of the by-laws, the list of superannuations granted to the officers and servants of the Company in England was now laid before the court.

Mr. *Hume* requested that the list should be read, which was immediately complied with. It contained but one name, that of Mr. Augustus Warren, late principal in the baggage warehouse department, whose salary in that situation was £1200 per annum; who having served fifty years was entitled under the act of parliament to retire on a pension of £200 a year, being two-thirds of his salary.

The *Chairman* said, he had now to acquaint the court, it was ordained by the by-laws that they should be read at the first general court after the annual election of six directors.

The clerk then read the by-laws short.

## MR. WILKINSON'S CLAIM.

The *Chairman* said, he had to acquaint the court that they were met agreeably to the resolution of the 24th ult., for the purpose of proceeding in the consideration of a motion made in the general court on that day, to approve a resolution of the court of directors of the 17th February, granting to Mr. James Wilkinson, under the circumstances therein stated, the sum of 75,000 sicca rupees, at 2s the current rupee, with interest thereon, at 6 per cent. per annum, from the 11th Oc-

tober 1816 to the day when payment shall be made. A letter had since that day been received by the court of directors, declaring the intention of certain proprietors, whose names were signed thereto, to move an amendment to the original resolution, which letter should be presently read.

The proceedings of the court of directors of the 17th of February were then read, in which it was resolved that the sum of 75,000 sicca rupees, (which had already been awarded by the board of trade, as a full and liberal compensation to Mr. Wilkinson, and not larger than his case called for, with interest at 6 per cent. per annum from the 11th of October 1816,) should be paid to Mr. Wilkinson, in conformity with the report of the committee of buying and warehouses.

Also the dissent of the chairman and eight of the directors from the said resolution. And finally, the report of the committee of buying and warehouses.

[A summary of these documents was inserted in the East-India House debate contained in our number for April, page 450.]

The *Chairman* then directed that the following letter should be laid before the proprietors :

"To the Chairman, the Deputy Chairman, and the honourable the Court of Directors of the East India Company.

"Gentlemen: We have the honour to inform you, that it is our intention to move and second, at the general court appointed for the 21st April next, that instead of the sum of sicca rupees 75,000, at 2s. the current rupee, with interest thereon at 6 per cent. from the 11th October 1816 to the day when payment shall be made, proposed to be granted to James Wilkinson, Esq., the said grant shall be the sum of sicca rupees 2,88,000, at 2s 6d. per sicca rupee, with interest at 8 per cent. per annum, from the 30th April 1817 till the same be paid, in conformity with the report and recommendation of the committee especially appointed by the governor-general in council, to consider of Mr. James Wilkinson's case, who were 'unanimously of opinion that the said sum was the lowest compensation to which Mr. Wilkinson was entitled.' And we request the favour that this notice may be given to the proprietors fourteen days previously to the holding of the said court.

"We have the honour to be, gentlemen,

"Your obedient humble servants,

"CHARLES FORBES,

"C. COCKERELL.

"London. 30th March 1819."

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Mr. Samuel Dixon asked, how much was the sum now proposed by the amendment to be given to Mr. Wilkinson, at 2s. 6d. the rupee, and was answered that it amounted to £36,000.

The *Chairman* said, before he put the question for the approval of the resolution of the court of directors, he wished to state, as it was a large sum of money, that he held in his hand a list of nine proprietors, who demanded a ballot on the question.

Mr. Hume wished the requisition to be read.

Mr. R. Jackson said, such a document could not be read at present. He should be glad to know on what question the ballot was to be demanded? It was absurd to call for a ballot till the main question was put from the chair and carried, aye or no; he therefore did not require that the names should be read.

Mr. Robinson, in order to remove the idea of absurdity which the learned gentleman had thrown out, begged to state, the hon. chairman had merely mentioned as matter of information for the proprietors, that an intention existed to demand a ballot on the question. He did so, in order to shew that if, under any circumstances, a larger sum of money was proposed to be granted to Mr. Wilkinson than that which the court of directors had decided upon, it was not their wish that it should be voted, except by the great body of proprietors.

Mr. S. Dixon could not see any absurdity in the call for a ballot. The learned gentleman said there was no question. Now, he conceived, there was a very material question, namely, whether Mr. Wilkinson should receive 75,000 rupees, or £7,500, with interest at 6 per cent., or £36,000, with interest at 8 per cent.

Mr. Hume said, that the mention of the ballot was altogether irregular. Section 1, chapter 8, of their by-laws specifically provided for the demand of a ballot; and, until within a short time, when their late hon. chairman on a particular occasion (Mr. Campbell's case) suggested the propriety of putting the question to the ballot, he never knew the course of proceeding in that respect to be intimated from the chair.

Mr. Lowndes said, that the hon. chairman, by mentioning the ballot, appeared to feel a desire to damp the spirit of argument. It was as much as to say "you are arguing in vain. However well you discuss the merits of the case, we are determined that the subject shall come to a ballot." He admitted that it was fair and proper that a ballot should be instituted; but he thought, in the first instance, that the question should be fully argued.

Sir John Jackson said, if the statement that a ballot was called for was, as had been contended, out of order, it was surely more out of order to comment upon it, instead of proceeding to debate upon the subject immediately before the court.

Mr. R. Jackson entirely acquitted the hon. chairman of any wish to interfere with the proceedings of the court. He did not believe, he did not suspect, that the hon. chairman harboured any such intention. His design doubtless was, to afford information to the court.

Mr. Lowndes said, neither did he mean to make any charge of that kind, but certainly, the proceeding of the hon. chairman had the effect of interfering with the course which the court might think proper to pursue.

The *Chairman* then moved, that the court do agree in the resolution of the court of directors of the 17th of February, granting to Mr. James Wilkinson the sum of 75,000 sicca rupees, at 2s. the current rupee, with interest at 6 per cent. from the 11th of October 1816 to the day when payment should be made.

The *Deputy Chairman* (Mr. Robinson) seconded the motion.

Mr. Forbes said, in rising to propose the amendment, of which he had given notice, he was anxious to take up as little of the time of the court as possible. The question now before the proprietors was of very great importance, as well in India as in this country. Very little that was new could, he feared, be offered on the subject. The different authorities to whom it had been submitted had taken different views of Mr. Wilkinson's claim on the Company, and it was now for the court to consider which of these views it would be proper to adopt. The case, which had already been stated, was one of great magnitude, both as it respected the interests of the individual and the credit of the East-India Company. Perhaps a more interesting question was never brought before the court than the one then under discussion. The ground on which he proposed to found the amendment he was about to submit to the court had been already signified to the proprietors and laid before the public; and although he conceived, that any thing he could say in addition to what was stated in the report of the committee, specially appointed to take the subject into consideration at Bengal, would have very little weight or effect in substantiating Mr. Wilkinson's claim, still he hoped, as the advocate of that claim, his sentiments would be patiently heard. He trusted that the very able and convincing speech which Mr. Wilkinson delivered to the proprietors on a former occasion, in support of his demand, had made an impression on their minds which would

not be easily effaced. He was very certain that it would be extremely difficult, if not wholly impossible, to set aside his arguments. Indeed, in the whole course of proceeding on this question, no solid reasoning had been advanced against this gentleman's claim. Never, during the entire period of his life, did he witness a question so exceedingly clear and so ably supported. In proof of this he had only to refer to the papers laid before the court. From them it appeared that all those who had taken the subject under consideration had declared unanimously that a compensation of some kind was due to Mr. Wilkinson. Some had taken a larger, some a narrower view of the subject; but that committee, which he had before alluded to, had, he perceived, this advantage over all the others to whom the question was referred, that, having considered the subject during a period of five months, after the most mature deliberation, after weighing and investigating all its bearings, they came to this unanimous resolution, that the sum which he (Mr. Forbes) meant to propose to the court was the very lowest compensation that could be awarded to the claimant. He should now offer a very few words on the nature and formation of that committee. In the first instance it was to be observed that it was named by the Governor-general of India without Mr. Wilkinson's knowledge; without allowing him a voice in its nomination; without any intimation being given of its appointment to the individual on whose interests it was to decide. Mr. Wilkinson was unacquainted with its existence until some time after its formation, when he was called on to produce documents in support of his claim. That committee was constituted of five able, honourable, and disinterested men. The two first on the list were the Company's civil servants; the third, one of the Company's law officers; the two others, merchants of first-rate respectability. If he might be allowed to make a passing observation, he would say, looking to the persons who composed the committee, that, at all events, the majority of them must have felt, and it was very proper that they should feel, a certain bias towards the views of the government. Two civil servants, and one of the law officers of the Company, it might be fairly presumed, must have looked with a very jealous eye into every circumstance which made in favour of Mr. Wilkinson's case; and, on the other hand, it might naturally be supposed, that they were anxious to place the most favourable construction on those points which were adduced in support of the views of those who appointed them to consider this question. But, notwithstanding this bias,

after a most mature and deliberate consideration, they gave to Mr. Wilkinson, as he had already stated, a sum of 2,88,800 rupees, as a compensation for the injury he had sustained. Now, he conceived that the highest respect was due to the report of that committee, which, in his opinion, ought to be considered paramount to all other statements on the subject. On that report he grounded himself, in supporting this gentleman's claim; and were he on his oath as a jurymen, he should not have the least hesitation in awarding to Mr. Wilkinson the sum which he now proposed to the court. One or two points, which he considered new, he wished to state to the court, unwilling as he was to trespass on their time. Those points, he conceived, would almost dispose of the case. It had been stated that the Company enjoyed a monopoly of the saltpetre manufacture since the year 1765. This was a question that was discussed more than once in the investigation of the subject. He conceived that this circumstance could not be adduced as an answer to Mr. Wilkinson; and that, on the contrary, if examined, it would be found to furnish one of the strongest arguments in his favour, for it went to impugn the right which the Company possessed to any such monopoly. It would be recollected by the court, that the preamble to the last India bill, passed in 1813, secured to the Company all those rights which were not specifically interfered with by that act; consequently, had the Company at that time possessed a right to the monopoly of the saltpetre manufacture (which was not mentioned in the preamble), it would have been altogether unnecessary for them to have applied for a legislative enactment to secure to them that monopoly. But gentlemen would recollect that such an application was absolutely made; that certain clauses were brought forward to secure to the Company the monopoly of the saltpetre trade in Bengal. The attempt then made was not successful; and he conceived, that by having brought forward such a proposition, the Company virtually acknowledged that they had no monopoly. But even conceding for a moment that a monopoly of saltpetre belonged to them, it could not be denied that they had relinquished it; and upon renewing it again, they did so with this reservation in favour of Mr. Wilkinson, that he should be allowed to complete his contracts to their full extent under certain conditions. It was stated to him at the time generally, that he must find securities for the due performance of those conditions; but, as it should seem to prevent his doing so, either through the negligence or misconduct of the Company's civil servants, he neither was put in

possession of the amount of those securities, nor was he furnished with lists of the names of those with whom he was not to deal, on account of their being in arrear to the Company. The Company having admitted Mr. Wilkinson's right to finish the contract which he had commenced, could not now with justice turn round and declare that the monopoly to which they laid claim should operate as a bar against the dealings of this gentleman. They had no right on a sudden to assume this monopoly to the great injury of an individual; and if they did so, they were bound to remunerate him. They had called for securities, they had not given Mr. Wilkinson information of the nature and extent of those securities, and this circumstance, of itself, formed a very strong fact in favour of his claim.

A great deal had been said as to the precedent which this case would furnish, if the claim were, as it ought to be, acceded to. He conceived it was impossible that any case of a similar nature could occur again. It was true, cases might arise connected with the saltpetre trade, and with various other branches of commerce; but of this he was sure, no claim that had gone through the course which the present had done, would be ever again submitted to that court. Leaving, however, this consideration out of the question, he hoped he should be permitted to say, that supposing this case were likely to afford a precedent for the reception of other claims of the like kind, it ought not to be rejected on that account. He trusted it never would be contended, that when they were disposed to do strict justice in one case, they ought to check and control that disposition, lest it might encourage other applications equally well founded. Such a monstrous proposition, such a monstrous idea, never once entered the minds of those who brought forward Mr. Wilkinson's claim; they conceived it impossible that such an argument would have been advanced against the case which had been made out by the claimant. Those who resorted to this extraordinary proposition seemed to be very anxious for the pecuniary interest of the Company; and in order to save a certain sum of money, they had allowed themselves to be drawn aside from what appeared to be of infinitely greater importance, the character of the Company for justice, honour, and liberality; a character which on various occasions, indeed he might say on all occasions, they had shewn the most praiseworthy anxiety to maintain, in India, and in this country. He should be exceedingly sorry to have so great a reflection cast on the Company, in this instance, as must light on it, if they checked Mr. Wilkinson's claim, (that claim being an honourable and just one) because the

admission of it might induce other claims, equally just, to be brought forward for the sanction of the court.—(*Hear, hear!*)—There was one very extraordinary and very strong fact, with reference to this claim, which he here begged leave to notice. Mr. Wilkinson did not, as had been represented, or rather misrepresented, seek to put his hands into the pockets of the Company, in order to take from thence money that strictly belonged to them. It was, he feared, strongly impressed on the minds of the proprietors, that they were rather called on to examine the claim as a demand for money, than to investigate the nature of the claim itself. He was very much afraid that this was the precise fact. They seemed to say in effect, "all your statements with respect to Mr. Wilkinson may be very true; Mr. Wilkinson may have a just claim, but this is a sum of great magnitude, and therefore we ought to pause before we grant it." In answer to this, he (Mr. Forbes) would observe, that the larger the demand was, if properly substantiated, the more imperatively were they called on to do prompt and immediate justice. The magnitude of the amount claimed, proved only the extent of the injury sustained; and the more serious the injury, the more speedy should be the redress.—(*Hear, hear!*)—But this was not all. The Company acknowledged, and the fact was admitted by various authorities, that they benefited by the loss which had fallen on Mr. Wilkinson.—(*Hear, hear!*)—They had placed in their treasury that, which, but for the resumption of the monopoly would have gone into his pocket; and he would venture to assert that the Company, on the very lowest possible computation, had made an advantage, in consequence of the resumption of their right (if it could be called one) of renewing their monopoly, not less than a sum of £100,000.—(*Hear, hear!*)—This they had absolutely pocketed. He would go farther, and call on hon. gentlemen to say, whether they were prepared, if he made them such an offer, to relinquish their profits for that sum? He felt quite confident that they would not.—(*Hear, hear!*)—On the contrary, he was convinced it could be shewn that they had reaped an advantage, in consequence of Mr. Wilkinson's speculation, which doubled the amount he had stated. Taking the sale price of saltpetre in this country at the time, supposing the article to have arrived safely at this market (and of course it would have been regularly insured against contingencies), Mr. Wilkinson would have gained by the sale of one year's saltpetre upwards of £60,000. He did not contemplate in this calculation any extravagant or unusual price. He founded his calculation on the price at which the Company had themselves sold the salt-

petre. He begged therefore to impress most deeply on the consideration of the court, that neither Mr. Wilkinson nor his friends called on them to squander one sixpence; their request was, that the Company would restore to the claimant a part of that of which they had evidently deprived him.—(*Hear, hear!*)—He felt that all the arguments which had been made use of by the authorities in India were so extremely favourable to Mr. Wilkinson's claim, that he could not repress his surprise at the opposition which that claim had met with. He confessed, that as he listened to those arguments used in court, and as he had proceeded in the attentive perusal of them himself, he was almost irresistibly led to hope and believe, that all of those to whom the question was referred, would have concluded by awarding to Mr. Wilkinson the most liberal compensation. Considering the principles which were stated by the Governor-general, considering the principles which were entered on the minutes of the board of trade, considering the view taken of the subject by the Bengal committee, he could not conceive how they could possibly cramp their understandings to such a degree as to come to the resolution which they had adopted at the end. He thought the just view of the subject that had been taken by the hon. the late Archibald Seton was particularly worthy of notice. Nothing, in his opinion, could by possibility, be urged on this question more conclusive or more convincing than what he had stated in his minute. The minute of the Governor-general, the Marquis of Hastings, was also a document which deserved the most marked attention. Had that noble marquis been a merchant, would he have laid down such principles? He believed, if the noble marquis had been placed in such a situation, that it would have been impossible for him to come to any other conclusion than that at which the committee had arrived, after a due consideration of the case, except indeed that he might have been induced to go beyond it. As a statesman he had taken a middle view of the subject; as a merchant he must necessarily have agreed in the propriety of that conclusion which the committee had adopted. Having offered these few observations to the court (he was afraid in a very unconnected form, but he consoled himself with the reflection that his deficiencies would be made up by the intelligence of those who would follow him), he should answer the dissent to the resolution of those among the court of directors who approved of the opinion of the committee of buying and warehouses (he believed the number of those who dissented was nine), by requesting that the letter of the Governor-general in council, or rather of the acting secretary

to the government, bearing date the 28th of December 1816, should be now read to the court.

The clerk accordingly proceeded to read this document, which was addressed by Mr. Secretary Trotter to the Bengal committee appointed to investigate Mr. Wilkinson's claim, and was in substance as follows:—

“A claim has been preferred to government by Mr. James Wilkinson, free merchant of Gornuckpore, in consequence of his being prevented, by an act of the public authority, from completing the salt-petre contracts which he had entered into in the year 1812, to a considerable extent. Mr. Wilkinson states that his loss was primarily occasioned by the re-establishment of the monopoly of saltpetre, under regulation 8, of the year 1812, which was totally unlooked for by the mercantile world, that monopoly having been relinquished by the order of the governor in council of the 14th of May 1811; and secondly, by the delay of the officers of government in not giving him the information necessary to enable him to take advantage of the commission which had been granted to him on the 27th of February 1813, by the governor-general in council, to complete the contracts he had entered into with Dhoolum Doss, and certain nooneahs in Behra. This case involved a question of considerable importance, whether viewed with reference to the interests of the Company, or to those of Mr. Wilkinson; and the governor-general in council desires, previous to coming to any resolution on the subject, that you will take such measures for its investigation as may lead to a correct result. The claim of Mr. Wilkinson could not stand in a court of law; he has, however, sustained considerable loss by regulation 8, 1812, and you will view his case with that liberality which has ever marked the conduct of the British government in India. Under this impression, I am desirous to express the request of the governor-general, that you will form yourselves into a committee to examine this case, and that you will state to the government the result of your investigation. The governor-general in council desires to have your opinion at length on the whole of the case, founded on the papers which shall be transmitted to you; he does not ~~therefore~~ furnish you with any specific instructions for your guidance; but I subjoin a short statement of the case, particularly with reference to the order of government of 1812, on which considerable stress has been laid by Mr. Wilkinson. Although the rules and orders under which this branch of the public investment was conducted was perfectly well known, yet the privileged trade in

saltpetre, during a long number of years, was tacitly permitted to a great extent. This led the government, in 1804, to enquire into the subject, and it was found that from the year 1757 to 1793, specific mention was made of this trade as a monopoly in the hands of the Company. The question appeared to be lost sight of until the year 1810; when the governor-general in council was pleased to record his opinion, "that the monopoly of saltpetre was not at all necessary, and that the imposition of any extraordinary restrictions upon the manufacture or sale of that article might be attended with prejudicial effects." The Company had then the monopoly of the saltpetre trade. During the war then carried on, they had become the sole purchasers of this article, and were placed in such a situation as gave them every facility for that purpose. It could be scarcely necessary to have a greater command over this commodity than the power of preventing its exportation from India. Its use, in a local point of view, was not considered; and unless a competition was created by purchasing at different places, from different individuals, no competition could take place. It was accordingly stated, in the minute of the governor-general, that he could see nothing which rendered it necessary that this article should be provided for on principles different from those by which the trade in piece goods and other articles was regulated; and as saltpetre could be procured under ordinary circumstances, it was conceived proper not to disturb, with reference to that trade, the ordinary course of proceeding. This resolution was founded on the then existing state of circumstances; and it did not set forth that government would, for any specific time, procure their saltpetre in a way different from what they had long been accustomed to; but if an obvious necessity existed, it was clear that they had a right to adopt such measures as they might deem most proper. Mr. Wilkinson does not appear to see the exact grounds on which this order was founded, but only the general purport of it. He says, that in consequence of this regulation, he was induced to enter into the engagements alluded to. Those engagements were at the time perfectly legal; but notwithstanding the fair prospect held out, if he contracted without knowing exactly the grounds on which the order of 1811 was issued, it could hardly be supposed that he was not aware of the importance of the Company's annual investment of this article for their ships and other purposes; and if serious obstacles interposed to prevent the completion of their investments, he must have been convinced that the Company would have recourse to such measures as would be most

proper for the purpose of effecting that object. In 1812, the hindrance to their procuring saltpetre increased to such a degree, that the government were obliged to have the question decided. The price was much greater than it had heretofore been, and the resident failed in procuring the supply for 1811; and he found that he could not procure that necessary for 1812, except by giving a price considerably beyond what had usually been paid. The Zemindars, it was discovered, proceeded on a different system, and the nooncahs sold their saltpetre to others, notwithstanding the advances made by the Company. The nooncahs wished to withdraw themselves from furnishing their consignments to the Company, but they found that they could not so readily break their engagements as they had hoped to do. In consequence of this state of things, regulation 8, of 1812, was enacted; and that regulation, if it had not been for the permissions subsequently granted to Mr. Wilkinson, would have annulled all the contracts which he had entered into. But in order to protect the interests of individuals, as well as those of the Company, it was determined that this regulation, though enacted in May 1812, should not be enforced until the month of October following; and the governor-general, on receiving intimation of the circumstances of Mr. Wilkinson's case, issued an order authorizing him to complete the engagements into which he had entered, stipulating that he should not cause a larger annual quantity of saltpetre to be furnished on his account than he had already contracted for, and that he should not employ any person who was in balance to the Company. The circumstances which led to the delay in informing Mr. Wilkinson of the securities that were required by government, and in furnishing him with lists of persons in arrear with the Company, were alleged by Mr. Wilkinson to have prevented him from proceeding with his speculation up to the period of 1814, when the regulation of May 1812 was superseded by regulation 4, of 1814. On the enactment of this latter regulation, in consequence of the provisions of the state, Mr. Wilkinson was at liberty to go on with his former engagements, which he said were annulled by the previous regulation, or if he pleased, to enter into others. The foregoing narrative," continued Mr. Trotter, "will put you in possession of the facts of the case, from which it appears that no engagements, implied or expressed, was entered into by the government not to re-assume the monopoly when circumstances might appear to demand that such a step should be taken; and however unfortunate Mr. Wilkinson might be, yet that circumstance gave him no legal

claim on the Company. The governor-general, however, considers that he has a right to expect the most patient attention to his case on the part of government; therefore the governor-general is anxious to know, looking to the facts detailed in the papers now furnished to you, whether Mr. Wilkinson has, in equity, any solid claim to remuneration from the government; and supposing his claim to be well founded, what sum he is entitled to receive. It would be also satisfactory to state the specific grounds on which you may think it correct to decide. The minute of the board of trade, which is now placed before you, has entered into so full a consideration of Mr. Wilkinson's claim, and has detailed it in so clear a form, that I do not think it necessary to enter farther into it."

The document having been read,

Mr. *Forbes* said, he was sorry to have obtruded so long on the time of the court, but it was important that this document should be submitted to the proprietors, in order to shew them that the Bengal committee was in the fullest manner placed in possession of the facts of Mr. Wilkinson's case. They attended to it with the utmost degree of candour and liberality; and they appeared evidently desirous to do all that possibly could be done with justice to the claimant as well as to the Company, which might have been expected from the high honour and known integrity of their character; and after taking the whole case into the most mature consideration, after viewing it in all its various hearings, they come to the unanimous resolution, that the lowest compensation they could award to Mr. Wilkinson was the sum of two lacs, 88,800 rupees, which he should have the honour of proposing to the court as an amendment to the resolution that had been put from the chair. Before he sat down he requested that the last paragraph of the report of the Bengal committee should be read.

The clerk then read the following paragraphs, signed Charles Bayley, Henry Wood, Robert Compton, George Crutenden and David Clarke.

"We trust that we shall stand excused for the free and unreserved manner in which we have stated our opinions on Mr. Wilkinson's case; and we beg to observe in conclusion, that the lowest compensation which we should have awarded, if placed in the situation of arbitrators, would have been the profits Mr. Wilkinson must have realized during the two years of the monopoly; and that we think him entitled at the least to the sum of 2,88,800 sicca rupees."

Mr. *Forbes* observed, that he had one remark to make with respect to the protest which had been entered into by certain

directors against the report of the committee of buying and warehouses. They, it appeared, had formed their opinion on the ground that Mr. Wilkinson had not availed himself of the permission which the governor-general had granted to him to finish his contracts; that he had not taken advantage of the circumstances which the government had placed within his power. He (Mr. *Forbes*) trusted that Mr. Wilkinson would be able to shew that the hon. directors who stated this as a reason for their decision had been led into a mistake. The documents proved a fact that was unquestionable, namely, that Mr. Wilkinson manifested the utmost anxiety, throughout the whole of the business, to perform whatever might be required from him by the government, on the score of security, and to obtain a list of the manufacturers of saltpetre who were in arrear to the Company. But the dissentients amongst the directors seemed to say, that Mr. Wilkinson did not appear sufficiently awake to his own interest on this subject. In answer to that he would look to the minute of the governor-general, who said, "that even supposing there appeared to be any disposition to tardiness on the part of Mr. Wilkinson, he could not but give him credit for an anxious desire to avoid pressing on the government, with too much earnestness, a point that he had repeatedly brought before them." He (Mr. *Forbes*) must, independent of this, maintain, that in no instance whatever had Mr. Wilkinson shewn any want of due diligence in supporting his claims; a fact which was clearly proved by the whole course of the correspondence. He would now conclude with moving as an amendment, "that all the words after the word 'that,' be omitted; and that the following words be inserted in their stead: "That it is the opinion of this court that the sum of sicca rupees, 2,88,800 at 2s. 6d. per sicca rupee, be paid to Mr. James Wilkinson, with interest at 8 per cent. per annum from the 30th of April 1817, till the same be paid, in conformity with the report and recommendation of the committee especially appointed by the governor-general in council to consider of Mr. James Wilkinson's case, who were unanimously of opinion that the said sum was the lowest compensation to which Mr. Wilkinson was entitled."

Sir C. *Cockereil* said, he had abstained from the beginning, from offering his sentiments on this question; nor should he, on the present occasion, in seconding the amendment, which had been proposed in opposition to the resolution of the court of directors, take up the time of the proprietors by entering into the merits of Mr. Wilkinson's claim, which appeared

to him to derive all its strength, not from any adventitious circumstance, but from the plainest principles of justice. He did not mean to trespass on the court at the present moment; but reserving to himself, with their permission, the right of taking up any point he might hereafter feel it necessary to comment on, he would now content himself with seconding the amendment proposed by his hon. friend.

An hon. proprietor (Mr. *Newbit*, we believe) expressed a wish to hear the sentiments of Mr. Grant and Mr. Plowden on the subject, whose names did not appear to any of the papers. They had, of course, examined the question minutely; and if they delivered their sentiments they would be found extremely useful in guiding the minds of the proprietors to a correct decision.

Mr. *S. Dixon* had no doubt that the motives of the hon. proprietor who had just spoken were as pure and praiseworthy as those of any man could be; but he conceived it was rather unusual to call on gentlemen to deliver their sentiments, unless they wished to do so themselves freely and spontaneously. The hon. proprietor who had made the request said, the subject was of a very difficult nature; it was in fact perfectly novel. He wished therefore as a commercial man to hear the opinion of those who had given it the fullest attention.

Mr. *Grant* said, he felt no great disposition to take any very active part in this discussion. The question had been amply debated on all sides, and he did not conceive that any observations he could offer would add much to the general mass of information which had been brought forward on the subject. He felt indeed, that he was not very well prepared, on this day, to enter fully into the consideration of so intricate a question. He admitted, however, the right which every proprietor possessed of calling on any member of the court of directors to state his opinion on a particular subject. He had recognized that principle long before, and he would not deny the propriety of its exercise in this case.

It so happened, when this subject came under the discussion of the court of directors, that he had not had an opportunity of examining the various documents connected with it. Those documents were exceedingly voluminous, and he had every reason to believe that the committee of warehouses entered most earnestly into an investigation of their contents. In consequence of their attention to the papers, it was not till within a few days of the time when the report of the committee of warehouses was submitted to the consideration of the court of directors that it was in his power to examine the documents; and then he could

only go so far into them as to confirm the opinion he had previously formed that this was a very difficult question. The hon. director said, he certainly felt no indisposition whatever towards Mr. Wilkinson, on account of his personal character; and he was not in the least degree biassed against his claim. As far as he was acquainted with the character of that gentleman, he was free to say, that he respected it; and on all occasions, like the present, he would rather lean to the side of liberality. This question having come on in the court of directors, before he had an opportunity of informing and making up his mind respecting it, he had not there offered any opinion upon it. Since that time, however, he had endeavoured to make himself more master of it, and thinking he might possibly find himself called on, to give an account of his sentiments, he had formed some opinion, which he was now ready to state to the proprietors. He certainly was not one of those who were inclined to go to one extreme or another, as was the case with several members of the direction at home, and some of the authorities abroad. He wished to rest at something of a medium point. In entering into the consideration of this question, the first thing to be recollected was, the nature of the Company's government and its constitution, as established by law. The Company, it could not be doubted, had, and ought to have, certain privileges of high importance. They incurred very great expenses in extending security to all their subjects, and under their government a fair and just protection was afforded to all, at a very small charge. Now under these circumstances, if the government derived profits from the monopoly of a particular article, the large commercial classes who lived under their rule, with less difficulty and trouble than they could exist beneath the government of any power in Europe, had no reason whatsoever to complain. In a question of this kind the interests of the government by whom such heavy expenses were incurred, as well as those of individuals, ought to be considered. Indeed it was a point peculiarly worthy of examination, when they came to decide on a question that went to establish a precedent, which might be quoted as sanctioning applications, not precisely of the same description; for it was impossible to foresee or know what future claims might arise, or how far they might diverge from that which was now before the court. He might, perhaps, mention that what was now called a monopoly of the saltpetre trade, was not originally so denominated. It was strictly a grant from the native sovereigns to the Company, to whom was conceded the privilege of manufacturing saltpetre in Behar.

It had since been designated a monopoly ; for its origin, which gave it a very different character, appeared to have been overlooked or forgotten. The Company had for a long time the exclusive right to manufacture saltpetre, and they had at a certain period substantively given up the exercise of that right ; but he did not perceive, either from the nature of their government, or from any thing that passed on the occasion, that they might not, if they deemed it necessary, reassume the monopoly of that manufacture. He begged to be clearly understood in what he now said ; he was arguing a public question, and felt no indisposition whatever towards Mr. Wilkinson or any other individual ; but he was obliged to state what he conceived to be the truth, holding, as he did, a responsible situation. His opinion was, that the Company might resume this monopoly, though they had abandoned it for a time : it appeared to him that they were enabled so to do, by the peculiar nature of their constitution. The advantage, whatever it might be, which they derived from the resumption of the monopoly, arose from the exercise of a power with which the law invested them. It was said that the Company had gained by this transaction, but how was this benefit procured ? it was by resuming that which they had temporarily laid down, and which they had an undoubted right to repossess themselves of whenever they thought fit. There was something to be taken into consideration, when they argued this case, with regard to the permission which the Company granted to those gentlemen who went out to India as free merchants ; there were certain regulations to which those individuals must submit, on being allowed to reside in that country. It was very necessary that such regulations should exist, (however strange they might appear to those accustomed only to the usages that prevail in this country), because they were essential to the preservation of those important privileges which, by law, the Company enjoyed in India, and a participation in which, when allowed to others, must be considered purely as a boon. If they looked to the particular circumstances of the case, he apprehended it would be found, that what happened to Mr. Wilkinson, was one of those inconveniences to which he was liable from the nature of the tenure under which he resided in India. He was liable to the acts of the government, although they might appear arbitrary ; but it was for the government to judge of the necessity of their own measures ; this was a right they possessed and persons who went out there must reconcile themselves to those circumstances which arose from the working of that system under which they had

solicited permission to live. Mr. Wilkinson, being in that situation, suffered from one of the acts of the government ; then came this question—"whether the government, having exercised a constitutional power, shall be liable for losses which have happened to individuals, in consequence of doing that which legally and constitutionally they were authorized to do ?" That was the question, and a very large question it certainly was ; it embraced consequences of the most important nature, and many of them so remote as to be scarcely observable at the present moment. The reflection, however, that such consequences might arise, ought to induce the greatest caution in settling a question of this nature ; it was on this ground that an hesitation arose in his mind, which kept him back from deciding at once on a matter which involved so many serious considerations. The question therefore was one of great nicety, both as it respected the interests of the Company and of the individual. On a *prima facie* view of the case, it might be argued, that no government, at least not our Indian government, ought to be made liable for accidental losses, sustained by individuals, in consequence of a public act : this seemed a fair position, for if they admitted a different principle, for if they supported the other view of the case, they would open the door to such an infinitude of claims as no government on earth possessed funds extensive enough to liquidate. There was another circumstance which ought not to be unnoticed. Mr. Wilkinson had entered into engagements for a distant period, for four or five years, and he complained that by a turn of circumstances his speculation was marred, and he was deprived of his expected profit ; then they came to this question—"here was a contract for several years, and gain to a certain amount was calculated on ; how far can this expectation, which was subject to the course of events and might be affected by contingencies, be considered a proper object of remuneration ?" It certainly was not like a case where there was a proof of actual loss or of certainty of gain. Another question of great difficulty arose here : every body would see that this was a matter of calculation, and that perhaps no two minds could well agree, as to the profit that would be derived from a transaction of such a nature. Was it then possible to concede the principle, that a government might be called on to make compensation for a distant and uncertain speculation ? This consideration, he confessed, deterred him from giving an opinion in favour of the claim, although he was not at all disinclined towards Mr. Wilkinson. It would establish a precedent of very important bearing, a precedent which might be ap-



plied hereafter, with greater latitude, according to the circumstances of the case.—(*Hear, hear !*)—Gentlemen had admitted that this was not a question of law nor of justice, but of liberality. If it were then a question merely of liberality, and not of justice, they ought, before they established a precedent, to consider it most maturely. If the consequences that were likely to flow from a particular act of liberality were very great, then every circumstance connected with the question ought to be most deliberately weighed before they performed the act: he, for one, was therefore very anxious that they should proceed cautiously, but he did not mean to say that they ought to shut out altogether the consideration of any specific loss sustained by Mr. Wilkinson. He had held for a long series of years, and his opinion remained unaltered, that in the administration of the Company's affairs a liberal consideration of the fair claims of individuals was becoming the Company, and consistent with the duty of a director of their affairs. He had on various occasions, when grants of money, and propositions of that nature, were in question, leaned, he believed, to the liberal side. And he must admit, with respect to the case now under consideration, that the change in the conduct of the Bengal government when it resumed the monopoly of saltpetre was very sudden, and as the laying down of the monopoly must naturally encourage individuals to embark in the saltpetre manufacture, so the resumption of the monopoly was so speedy and unexpected, that no man, whatever his prudence might be, could be prepared for it, and therefore on account of the current, not distant transactions in which he thus became involved, a degree of consideration might reasonably be accorded.

Then, said the hon. director, came the question as to the degree of liberality, the amount of compensation which might properly be awarded in this case; here the opinions were greatly at variance. He should detain the court too long, if he went over the grounds taken by those who supported different sides of the question; he would rather confine himself to the result which he had formed in his own mind. The government of Bengal and the board of trade seemed to have proceeded on the same views of the subject; and he did not think that he could with propriety go farther than those authorities had gone. He should be prepared to give a gratuity to Mr. Wilkinson, to the extent which the governor-general, acting on the same principle as those which influenced the board of trade, was disposed to grant; farther than that he was not willing to proceed; and his rea-

sons for stopping short here were to be found in the principle which he had stated. He did not know whether what he had offered to the court was much deserving of their attention, but being called on for his opinion, he conceived that it was his duty to state it in the most plain and unreserved manner.—(*Hear, hear !*)

Mr. Plourden said, that when the question respecting the claim of Mr. Wilkinson was brought before the court a month ago, he was unable, in consequence of severe indisposition, to form a just estimate of it. On a partial review of the statement of the case at his own house, he was very much inclined to coincide in opinion with the committee formed in Bengal to investigate the question; but having read all the papers on the subject, when he came to examine minutely the principles on which the claim rested, his matured consideration led him to think that Mr. Wilkinson's demand on the Company for a larger sum than 75,000 rupees was not well founded.

Mr. Strettrill said, after the very liberal sentiments which had been expressed by the hon. court of directors, he was in hopes that nothing would have occurred in the court that day to create the slightest degree of unpleasant feeling. He confessed that the question immediately before the court presented, in one point of view, a considerable portion of difficulty, namely, as to the amount of profit which Mr. Wilkinson claimed and that which the court might think proper to award. The court of proprietors had a nice point to decide, considering, as they must, the sum for which Mr. Wilkinson preferred his demand, as well as the principles on which the resolution then before the court was founded. That the hon. court of directors had no partial feeling on the subject he was quite certain; they evidently wished to do nothing more than justice both to the Company and to Mr. Wilkinson. They felt that the Company had benefited by the act which had occasioned severe loss to that individual; and acting from the common impulse of sympathy, which liberal minds always manifested towards others who had sustained injury through their proceedings, they did resolve to grant to him a certain remuneration. It was not necessary for him to develop all the circumstances of the case at present. The court of directors had come forward and offered Mr. Wilkinson what they conceived to be a compensation. The question came to this, whether the sum offered was or was not a compensation? on that basis they ought to stand. He might be wrong in the view he had taken of the subject, because he had not made himself fully master of the papers that had been laid

before the proprietors; but he took it for granted that those estimates, or rather calculations, which were to be found in the documents were perfectly accurate, and he accordingly argued on their contents. He conceived that he could do this in safety, in as much as he had not heard any gentleman condemn them as fallacious, although several individuals stated that they had formed a different conclusion in their own minds: but though they had declared this, none of them had dissented in any degree from the verity of those statements on which Mr. Wilkinson advanced his claims; he must therefore suppose that their truth was admitted. What, then, could the court of proprietors or the hon. court of directors do under these circumstances? They could only do one of two things: the one he should be sorry any man at that time of day could have the heart to propose for their adoption; he meant the dismissal of Mr. Wilkinson's claim, without any remuneration whatever. When they considered the situation of that gentleman at present, when they recollected that he had followed his fortunes to India, that he had there a fair prospect of realizing that competence which he had left home to seek, a prospect founded on the encouragements given to him by an act of the government under which he lived, when they reflected that he had since risked his all, that he had quitted all who were dear to him, that he had abandoned all that was essential to his welfare in life, in order to bring the question to an issue in this court, they surely could not think of dismissing him without reparation. One would suppose, the principle of the claim having been conceded, for the different references seemed merely to go to the *quantum* of remuneration which he should receive, that the claim would long since have been decided. There was no man of feeling but must shudder at the thought, even at the remotest thought, that any individual could be found to entertain the opinion that Mr. Wilkinson ought not to receive any thing. (*Hear, hear!*) If any man were at liberty to assert this, it would give rise to a general burst of feeling; it would give rise to the expression of a great public sentiment, a sentiment that would work infinitely to his advantage. They would behold a court of directors and a court of proprietors rising in a mass to support a man thus deeply injured; not by any misconduct of his own, not by any misconduct of the government, for he imputed no blame to them, but who had sustained a serious loss by the operation of an act which he could not controul. The court, he was convinced, would rise in a mass and pronounce that the person thus injured should have an indemnity for the des-

truction of those prospects he had so rationally entertained. If, therefore, no opinion existed in the court of directors or of proprietors that his claim should be rejected altogether, what remained to be done? they had only to compensate him. How? not by placing a convenient sum in his pocket without reference to the existing facts: one man might consider £500 a large sum, another might look upon £1000 as too little: they ought to proceed on some fixed and settled data; they might consider the expences incurred by Mr. Wilkinson in travelling twice from Gorruckpore to Calcutta and back again, in order to procure a settlement, and the great charge he had incurred afterwards, when, finally, he found it necessary to seek redress in this country. If he brought an action in the Court of King's-Bench, he believed he would find himself considerably minus, if he procured a verdict for less than what he now argued Mr. Wilkinson had a right to. If he, or any legal man, were to argue this question in a court of law, being convinced that Mr. Wilkinson had a right to recover for a damage sustained, he would have no hesitation whatever in addressing a jury with respect to a specific *quantum* of damages. He would not call on a jury to give ideal damages; but he would direct them to look to the facts of the case, to mark the expenses which Mr. Wilkinson had been compelled to incur, and he would contend, that on a just consideration of these, they were to say what compensation he was to get. The gentleman who had made this motion, or rather amendment, on the part of Mr. Wilkinson, had informed the court that he had taken the least sum specified by the Bengal committee. The hon. gentleman had stated, that the decision of the committee was founded on data which he (Mr. Strettell) would not be at all justified in following; but at the same time he thought himself called on to point out that which appeared to him to be actually due to Mr. Wilkinson, that which he had actually lost. He said what he had actually lost, and he would immediately shew how; for the amount of loss appeared to be a material impediment in this case. It was contended that no loss had really been sustained by this gentleman. If it were a case of insurance at law, a question would arise, and a very important one, how far the profits of a trade could be insured; but the question here was of a very different nature. Mr. Wilkinson, acting under the sanction of the laws of this country, went out to India with the permission of the court of directors, and he was allowed by the government of Bengal to carry on trade in a legal and regular manner: the question then was, if he entered into contracts under a regula-

tion promulgated by the government, and that before the period elapsed at which such contracts would terminate, the government suddenly interposed, and by a new regulation prevented the completion of those contracts, and thus put an end to his hopes of profit, whether there was not, in consequence, an absolute loss? Was there not a loss of that description which might, with propriety, go to a jury? Was there not a tangible loss, such as a person might point out, not as a contingent or remote injury, but as an injury which absolutely existed? Might not a person so circumstanced say, "Mine is not an indefinite claim; I am addressing you for no such thing. I call on you for that which, in consequence of your act, has been taken out of my pocket and given to others. The profit which others have made, has arisen from that source, has flowed from that fountain head which I first explored, for the purpose of directing its streams to my advantage. The labour has been mine, but others have reaped the profit. I am not addressing you for a shadow, but for a reality. I am not calling on your humanity, but I appeal to your justice. I call on you who have been the occasion of my loss, on you who must possess that feeling which I hope every man bows to on a subject of this kind, on every subject where an injury arises to another, whether it be intentional or not, to examine my case and act fairly and honestly by me." Here, continued Mr. Strettell, there had been evidently a communication between the claimant and the government of Bengal. The latter entered into what he called a delusive investigation. He meant not this as any charge against them, for he felt that it would be most improper to make such a charge, since he knew that nothing was more remote from their minds than to act unfairly; but still he must say, that the enquiry was in its nature delusive. All that was done in consequence of the claimant's communication, was perfectly delusive; and it ultimately turned out so to Mr. Wilkinson, after his just hopes had been strongly excited. The government told him, "we see you have sustained a loss, and we have benefited to the whole extent of its amount;" but still they did not repair the injury. This was a fact on which he relied, and on which he conceived it was proper that the court of directors and of proprietors ought to decide. The profits which had been gained by the agents and servants of the company flowed from the industry exerted and the means adopted by Mr. Wilkinson, to forward his interests and to realize a fortune. Looking at the question then in this point of view, taking it on this scale, the business resolved it-

self into this point: "Is the calculation resorted to by the Bengal committee well founded or not? Were those two civil servants, Messrs. Bayley and Wood, and the other members of that committee, worthy of confidence?" He would say, that two men did not exist, in whom the government of Bengal placed greater or more deserved confidence than in those whom he had mentioned. With respect to Messrs. Cruttenden and Clarke, two others of the committee, he believed he might appeal to two-thirds of that court, who well knew their capacity for deciding on a subject like this. Such was the character of every gentleman on the committee, that, looking to the *data* on which they proceeded, not one of their calculations could be doubted, in point of accuracy and veracity. If that were the case, what had they, the court of proprietors, a right to award? He would say, "take the lowest possible estimate," for he would be content even with that; although seven years of the life of the claimant had elapsed while he was in pursuit of that, which he (Mr. Strettell) could not forbear considering as most unequivocally his own. Suppose him now on the point of obtaining his demand, it should not be forgotten that it would come to him with deductions and losses, and disappointments and aggravations, which must ever operate on his mind as circumstances that lowered the value of that which the court offered to him. It was only in the hearts of men who had been under the necessity, as he had been, of seeking their fortunes in foreign lands, and who had been obliged, as he had been, to demand a redress of injury at home, that a proper feeling of his hard case could be looked for; but he hoped, in an assembly of Englishmen, that the claimant would derive all possible benefit from those generous feelings of the British heart which were never refused when a detail of undeserved hardship was clearly made out. He (Mr. Strettell) came here, as one of the court of proprietors, not to call for a larger grant than that which the case warranted; but he certainly did appear with a determination to negative the idea of voting to Mr. Wilkinson any thing short of what he conceived to be the lowest loss he had sustained. In order to explain himself more fully (and he begged the attention of the hon. mover to the circumstance), he must observe, that the Bengal committee, in estimating the lowest possible amount of compensation that could be awarded to Mr. Wilkinson, stated that the loss on his contracts for two years would be 1,80,000 rupees, and they also admitted that he was entitled to three years penalties. Those penalties, to which the committee de-

clared he was entitled, as they were founded on the existing contracts, let in a collateral question between Mr. Wilkinson and the saltpetre manufacturers, the probable fate of which he did not think it necessary to discuss at present: the question was, whether the three years penalties were to be taken into consideration, in looking to the sum which Mr. Wilkinson had lost. If it arose out of a contract subsisting between him and those people, which contract they ought to have performed, a number of arguments might be advanced with respect to his want of diligence, as against them, though not as to carrying on the trade in saltpetre, to which an end had been put. Indeed, with respect to the 60,000 rupees, being the amount of three years penalties, that subject was connected with many circumstances which he would rather not look at. He would therefore lay it aside, and say that Mr. Wilkinson was entitled to the two years actual losses sustained by him, as decidedly as any loss he ever heard of in the world was due to the person who had suffered it. A large loss actually sustained by him; money which he would have realised, had been diverted from him, and was conducted into the iron chest of the company. Such a loss might be stated before a jury, and on that ground he thought Mr. Wilkinson ought to have at least the sum of 1,80,000 rupees with interest; but he would leave out of consideration the penalties for three years. With respect to himself, he had particular reasons which prevented him from entering into other branches of the arguments in this case at the present time. Mr. Wilkinson did not mean to raise a question as to the right of government to do the act which they had done: a more important question could not be agitated than that which was incidentally glanced at, namely, whether the Company had this right or had it not. It was, indeed, most important to consider, whether the Indian government were authorized in this way to lay on an embargo, which the prime minister of England, if he dared to attempt such an act, would be impeached for. It was a question whether the Indian government could do this at all under the sanction of the law. Suppose a governor-general contemplated such a measure in mere wantonness, could he carry it into effect more than the minister of England? It was evident that the latter could not attempt to carry such a scheme into execution, without calling for the prompt intervention of the legislature. It was a subject of the deepest interest, and ought not to be introduced on the consideration of a question of this kind, which merely respected a loss stated to have been sustained by an act of the go-

vernment. There was here a circumstance which ought not to pass without observation: saltpetre was a most important article of trade; at the very time, at which this transaction took place, the American war was not known in India, and saltpetre was an article which formed a principle feature of the American trade; so much so, indeed, that they made a run on that article, and had not particular individuals and the government of Bengal became their competitors in this traffic, and divided it, they would have had it almost exclusively in their own hands. It unfortunately happened that a schedule had been published, for the purpose of following up the 37th of the King and a regulation of the court of directors, which set forth that the article of saltpetre was one that might be exported on the payment of a certain duty: what, therefore, was the actuating motive of the government of Bengal in re-assuming the monopoly, which it was stated they had been induced, under existing circumstances, to lay down? It was probably to prevent large quantities of saltpetre from being sold to the Americans. But still the counter regulation was in the teeth of the schedule which had been published for carrying into effect the 37th of the King; which circumstance made it a much stronger measure than it otherwise would have been. This however was not the question of the present day. They had not however met to canvass the acts of the government of Bengal; and they ought to shut out all discussion which was not decidedly necessary to the elucidation of the question. The question merely was, what compensation should Mr. Wilkinson receive? That compensation should be decided on no ground but that of facts; and the facts that had been laid before them proved that decisive and absolute losses had been sustained. If the statements on which the Bengal committee proceeded could not be controverted, and he thought they could not, 1,80,000 rupees ought to be awarded to Mr. Wilkinson. He considered that that sum could not be fairly objected to by any person, since it was the lowest that the Bengal committee conceived the claimant to be entitled to.

Mr. S. Dixon said, he admired very much the worthy gentleman who had just sat down. He had stated that he did not mean to call into question the right of the government of India to prevent the exportation of particular articles, notwithstanding he argued very ingeniously on the point, and then attempted to shut out every body else from a participation in that branch of the discussion. He wished the worthy gentleman would have followed his own principle, instead of arguing for half an hour on a question, the discus-

sion of which he deprecated. He (Mr. Dixon) also objected to any appeal being made to their feelings as men. There had ever been throughout his life a strong bias on his mind, and he believed the same bias was felt by almost every person, in favour of an individual when he was struggling against a great public body; this being the case, it was not necessary, by exciting their feelings, to increase that bias which had previously existed. He confessed that he could not form a very accurate opinion on this subject from the papers that had been laid before him. It did not appear from them that his claim was for a liberal consideration, for compensation, or in fact for any thing specific. It appeared that the government in India had resorted to a particular measure, and the Company were undoubtedly answerable in some degree for it; but when he made this admission, it ought not to be forgotten, (what was stated by all) that Mr. Wilkinson, in preferring a claim for compensation, had not a foot to stand on in the way of legal right. The report made by the gentlemen in India threw Mr. Wilkinson on their compassionate feelings to remunerate him for losses which it was alleged he had sustained. He knew nothing of the report; but he believed that the persons to whom Mr. Wilkinson's claim was referred were men of very high honour, and conscientiously thought they had done nothing but what they were justified in doing; but on reading their report he saw that there was all through it a leaning in favour of Mr. Wilkinson. The gentlemen who investigated the claim drew deductions which no men in business would have done; they took it for granted that the contracts into which he had entered would have been fulfilled, and that the goods he purchased would have produced certain stated prices in the market; they made no allowances whatever for contingencies, for bad debts, or for any one of the disappointments to which commercial speculations were liable. He thought when Mr. Wilkinson acted on the permission given by the governor-general in India, who had exercised a right (whether correctly or improperly he could not say) afterwards to pass a counter regulation, the individual who speculated under the former order ought not to have left out of his calculation the probability, that some circumstance might intervene which would render it necessary to put a stop to the free trade in this article. The learned gentleman (Mr. Strettell) had treated this part of the subject in a very curious way; he had stated that the government here would not permit an embargo of this description to be put in force. It was necessary to inquire what saltpetre was? It came, if he mistook not, under the denomination *munition of war*; and in this, and, he be-

lieved, in every country in Europe, *munition of war* might be staid from exportation, just as the government thought proper: therefore, in his opinion, Mr. Wilkinson had no right to promise himself a free trade in the article of saltpetre longer than it suited the interests of the Company to permit it. The government that gave the power, if they thought fit, might resume their right again. They had been told of profits Mr. Wilkinson was sure of realizing, and for which he sought a remuneration: now he (Mr. Dixon) had been for fifty years in trade; for a considerable portion of that period he had been a broker, and he had yet to learn an instance of a speculative man who had died rich. Individuals of a speculative turn laid their plans very well in general; they said "a certain article will rise in price and we will lay in a stock of it." It did perhaps rise in price, but still he never knew them to stick to their first determination, that of selling when they could make a sure profit. They kept the article in hand because they expected it would rise higher, till at length no person would purchase, and the speculation became abortive. He recollected the embarrassment of the house of Fordyce, of Sir George Colbrook, of the firm of Boyd, Benfield, and Co., who from a too sanguine hope of making a great profit had missed realizing what they easily might have done. In all cases of this kind losses were to be counted on as well as profits; therefore Mr. Wilkinson had no right to suppose that he should realize here the sum mentioned in the report made in India. The board of trade recommended, he believed, the very sum of money which the court of directors now proposed; and he thought that the executive body had, under all the circumstances, selected a wiser and fitter course than that which was proposed by the amendment. It had been observed, if any person stated that in his opinion Mr. Wilkinson had no claim, that person must be destitute of feeling; he however begged to observe, that while he admitted the claims of Mr. Wilkinson on the score of liberality, he most distinctly denied that he had a single legal demand. His claim proceeded on a basis which was altogether wrong; and though this ground was naturally an unpleasant one to touch upon, he thought that he was bound to state his sentiments. His opinion was, that the wiser course for the proprietors at large to follow would be to adopt what was recommended to them by the board of trade in India, which had since been sanctioned by the approbation of the court of directors. He had no doubt that the executive body cherished as much kind feeling towards Mr. Wilkinson as any individuals within that court; he did not mean in

saying this to flatter the court of directors, for he believed, when he thought they were wrong he never kept it a secret from them. As there was a natural leaning towards a gentleman who made an application of this kind, on account of old acquaintanceship, for individuals were likely to bear a strong impression on their minds in consequence of the regard or love they bore to him, he conceived that the proper way of deciding this question would be by a ballot.

Mr. *Peter Moore* said he wished to offer a few words on the subject now before the court. He should shew a very bad taste indeed if he went into all those arguments which had been touched by different gentlemen. His hon. friend, who had brought forward this question, had given a detail founded on the documents which had been laid before the proprietors, and that detail he conceived rendered it unnecessary for him to call the attention of the court to more than two points, which he would do as briefly as possible. The first was, the decision of that committee to whom the governor general in India had referred this subject, and on whose report the claim now made was founded; and secondly, what had been the usage that existed in all similar cases which had occurred under the Indian government. He would put the matter at issue with respect to the report of this committee on one single question, namely if the report had been for the minor sum of £7,000, instead of the larger one of £36,000, would the government, the board of trade, and the court of directors have abided by it or not? If they told him that they would have abided by it, they acknowledged the principle to be correct, although they differed as to the amount of the remuneration. Now it was the principle that he wished to be recognised: they ought not to look at the sum awarded, whether it was 20, 30, £40,000 or more; they ought to be governed alone by the principle of justice. He lamented excessively, that the acute and comprehensive mind of the governor general had not decided this question on the other side of the water: something extraordinary must certainly have arisen to shake the noble mind of the governor general which was never shaken by the threats of the Company's enemies. What the reason was which caused his indecision they did not positively know; but he thought he could suggest some motives for his conduct. No doubt the Governor general had looked to both sides of this question, but he (Mr. Moore) imputed to the board of trade a looseness of conduct, a want of decision, which prevented them from setting the question at rest, as they undoubtedly ought to have done. With respect to the powers of the In-

dian government to claim this monopoly, there could be no doubt of their existence. They certainly were possessed of those powers, but they exercised them leniently and liberally; they had therefore a right to act as they had done: but looking to the liberality of their conduct on all similar occasions, it was fair that the claim of Mr. Wilkinson, arising from injuries sustained by their resumption of the monopoly, should be brought forward. Early in life he (Mr. M.) acted gratuitously as secretary to the board of trade, and the various deeds, contracts, and powers, connected with that branch of the government, had been brought under his special observance. There were many monopolies in India, and, in his opinion, very proper ones. By various recommendations and suggestions, he had endeavoured, not unsuccessfully, at different times to improve several of them. The monopoly of salt was extremely productive, a revenue of two millions sterling per annum was derived from it; that monopoly was managed much to the advantage of the Company, and with the general approbation of all consumers. There was also a monopoly of opium, and of various other articles, sanctioned by the powers of an act of parliament. He would now call their attention to what had been done on occasions similar to the present. This was a case where, in truth, there was a monopoly and no monopoly: the free merchant knew not how to turn himself; one day he was told that he might pursue this trade, and on the next he was forbidden to interfere with it, therefore he was entitled to a liberal compensation, such a compensation as was always awarded in this country. In England no individual could be interrupted or injured in his legal pursuits, either by the government or by a joint stock company, without receiving a liberal return; therefore Mr. Wilkinson had a right, having made out a strong case, to expect a liberal compensation. Indeed, he would leave all mention of liberality out of the question, and say that common justice demanded reparation to the full extent of the injury of which Mr. Wilkinson complained.—(*Hear, hear!*) The principles on which the trade in opium was carried on, was on this occasion applicable to the trade in saltpetre. Advances (or, as it was called, *daudnee*) were made to all the little manufacturers who were engaged in the trade, and who were bound to supply a certain portion of the article. Those persons went to work, and they received the remainder of the sums due to them when they had furnished the stipulated quantity of saltpetre. Sometimes these speculations were unfortunate, and the merchant did not receive the money which he had advanced. Now let the court consider the

situation in which Mr. Wilkinson was placed. The board of trade called on him to give security that he would not purchase saltpetre beyond a certain quantity, and also that he would not deal with those who were in arrear to the Company; but year after year, season after season, passed by, and no answer was given to his repeated requests to know specifically what amount of security was required. He was left, to his great misfortune, in utter ignorance of the amount of security required. At this time A, B, and C had received *audnee*, or advances, for saltpetre from the Company. They relinquished the monopoly for a time, and they then thought proper to resume it; when they did so, they said to Mr. Wilkinson, "You may conclude your contracts, but you must give security not to employ those persons to whom we have made advances." In order to learn what security was necessary, Mr. Wilkinson was referred from one chief of a factory to another, and being unsuccessful in gaining the information he sought, the proceeding had the effect of completely stopping his contracts. The principle which in such a case would be acted on in England ought also to apply to India. It was a fair principle, and ought to be extended to every person who had been injured by government, or by any public body, that of granting remuneration to the amount of the loss sustained. He came now to the monopoly in salt, with which he was well acquainted. The lands which produced it were called Nemuck Mehals; part of the rent of those lands was paid in money and part in kind, namely, in salt. When the government of Bengal took the salt manufacture under its own especial care, the question was, what existing contracts had those persons, who held the lands entered into with others, with whom they were in the habit of contracting from time to time, for the production of a certain quantity of salt? and next, what had they done with the money which they were in the habit of receiving from those with whom they had these dealings? The money, it was found, was paid to the Company for the land rent. What then was the course adopted with respect to them? compensation was made by the Company to the amount of some millions of maunds of salt; and the same thing was done with respect to the Jutwell's monopoly, as it was called. How then stood Mr. Wilkinson's case? He said, "I have been injured in my fortune by the measures of government; compensate me, then, in the same way which you have been used to do all those persons who contributed towards the public good." It was clear that Mr. Wilkinson had essentially served the public; he had

augmented the number of saltpetre manufactories from 450 to 1100, so that when the Company wished to have a monopoly of this article against all Europe, he had put it in their power to effect it. This was the grand foundation on which his claim stood. He was very sure that an appeal to the liberality of the court, indeed he should rather say to its justice, founded on the principle to which he had adverted, and supported by the best law of the land, he meant the unwritten law, would be most cordially received. If the two extremes which had been alluded to were departed from, he had no doubt that a congenial feeling would be exerted to hit off that medium which would be satisfactory to both parties. If the governor-general of India and his whole council had not known and been convinced of the justice of Mr. Wilkinson's claim, they never would have referred it to persons as high in repute, as high in virtue, and as high in ability as any individuals either in England or India. He hoped this circumstance would not be overlooked, and that in coming to a decision they would consult the honour as well as the interests of the Company.

Mr. Gahagan said, he concurred in opinion with those who felt that this was a question of difficulty, but in fact the difficulty was entirely confined to the *quantum* of remuneration that ought to be awarded to Mr. Wilkinson. It was said by a learned gentleman (Mr. Strettel) that to deny the claim of Mr. Wilkinson altogether almost argued a want of feeling, and indeed to him it appeared scarcely credible that nine individuals could be found to sign a protest stating that Mr. Wilkinson's claim ought to be rejected, declaring that in fact he had no claim at all on the Company. An hon. proprietor near (Mr. Dixon) had re-echoed this sentiment; he argued very ingeniously that Mr. Wilkinson had made out no claim whatsoever, but still he was willing to grant to him what the court of directors proposed. He could not account for the course of argument which the hon. proprietor had pursued when he considered his conclusion, but at all events he was glad that the hon. proprietor concurred in thinking that Mr. Wilkinson ought not to be deprived of all remuneration. He wished to advert to an observation made by the hon. gentleman who spoke last, because it was in direct connection with the fundamental error on which the view of the nine protesting directors was founded, and of the doctrine laid down by the hon. gentleman who recently spoke from behind the bar. If the hon. director had not proceeded upon false principles, his argument must have been allowed to possess great political sagacity, and he would

have agreed with what he had laid down, assuming that the premises were good. Unfortunately, however, the assumption was not a just one, because the argument was founded on the right the Company had to enforce this monopoly. His learned friend (Mr. Stretell) said, that Mr. Wilkinson had altogether waived the consideration of this point, but while he made this observation he introduced the question incidentally. The hon. director said, that in strictness this could not be called a monopoly, for that before the assumption of the Dewannee by the Company a grant of the saltpetre lands was made to them by Jaffier Aly Khan. But could it be said, after this grant was made, that the Company could insist on a monopoly of this nature? Could any agreement entered into by Jaffier Aly Khan give to the Company a power which on the first view appeared to be illegal? If the proceeding were bad in the beginning, the length of time during which it had continued could not justify it. In every point of view, morally, practically, and legally, that which in the outset was improper could not by lapse of time be cured of its original defect. The maxim was, *quod ab initio non valet, tractu temporis non convalescet*. From 1765 to 1811, the Indian government chose to exercise a monopoly in the saltpetre trade, and it was argued that this circumstance gave it validity: now what surprised him was, that the hon. proprietor (Mr. Moore), with all his knowledge of Indian affairs, with all his experience in the commercial transactions of the Company, could venture to say that they had the right to impose this monopoly, and that it was given to them by the government here. He would, however, prove that the Company had no such right, and more particularly with reference to this very article of saltpetre. It was a remarkable fact, which could scarcely have escaped the attention of the court of directors, that the statute of the 13th of Geo. III. specifically stated what articles the Company might monopolize, as distinguished from those which were left open to a free trade. Now it must be taken for granted, that those articles which were not at all enumerated were intended to be left open to general speculation. The articles mentioned as liable to a monopoly were salt, betel-nut, coffee, tobacco, and rice. Opium was not one of the monopolized articles, although it had been stated in mistake to be one of them. If the court examined the matter a little, they would see that government displayed great foresight in preventing individuals from meddling with those articles. Every person must know that rice was the *sine qua non* article of Indian existence. Salt also was a commodity of primary importance, and he

might say the same of tobacco: deprive the natives of their tobacco, their rice, and their salt, and the Company would soon deprive themselves of their Indian empire. Opium was to the commonalty of India what porter or gin was to the mob of this country. So well did the Company understand their best interests as governors of India, that they took special care that salt, rice, betel-nut, and tobacco should never be wanted by their subjects. They prevented individuals from speculating in those commodities, and in so doing they acted wisely, because if trade of that kind were left open, the conduct of those who embarked in it might endanger their very existence: therefore, as the *sine qua non* of subsistence, they were placed under the tutelage and guardianship of the government. The words of the statute were these: "Be it enacted, that no person whatever shall intermeddle in the inland trade of salt, betel-nut, rice, and tobacco, except on account of the Company." He could conceive cases where a government might be placed in such a situation as might compel them not to adhere strictly to the law. He hoped the court would not be alarmed when he said that circumstances might occur which would justify the exercise of a vigour beyond the law; and if there were a country in which more than another such circumstances were likely to arise, that country was India. Perhaps they would sooner forgive and indemnify a Governor-general for acting with a vigour beyond the law, when combating with adverse circumstances in India, than they would excuse or palliate similar conduct in a commander in any other part of the world. He would say more with reference to this peculiar case. He would say, that if there was any one article under the sun with which government might be warranted in interfering, although no legislative provision had been passed on the subject, it was with respect to this commodity, which had been properly denominated a munition of war. Here an arbitrary regulation, springing from the government itself, and having for its object the prevention of a general traffic in this commodity, might perhaps be justified; but let the court examine the case, and see whether the circumstances would excuse the conduct which the Bengal government pursued at the time. The proceedings shewed that the government had exercised a species of monopoly of this article since the year 1765: from that period to 1804, no regulation asserting the right of the Company to the monopoly had been established. At the latter time a sort of dispute took place between the commercial and judicial authorities on the subject of the existence of this right: nothing, however, was done



in 1804; the question was postponed until 1810, when it was again brought under discussion. If a necessity at that time existed for asserting the monopoly, the Company might easily have assumed the disputed right which they enjoyed, with the tacit consent of every body, and they might then have formed a regulation to prevent the interference of any other persons in the trade; but the court would be astonished to find that the regulation which was agreed to in 1811 went to abolish, not to sustain the monopoly of the saltpetre trade. The regulation declared that the Company had no more right to interfere with that branch of trade than they had to assume a monopoly of the traffic in piece goods: such, in effect, were the words made use of. The Company declared to all that the trade was open to competition, and every person who came with money in his hand might buy as much saltpetre as he could. When such a prospect was held out to the whole community, an individual stepped forward and entered into contracts with a view to future profits, during a period of five years. He agreed with what fell from his learned friend (Mr. Strettel), that if the Company meant at a future period to lay claim to this monopoly, the conduct they pursued in giving it up was most delusory. He did not mean to say that the delusion was intentional, but if a merchant had suffered by the situation in which the conduct of the government had placed him, if they one day rescinded a monopoly and thus enticed him to speculate, and the next day reassumed that monopoly to his disadvantage, it was not unfair to call such conduct delusive and deceitful. Here he must differ from the hon. director (Mr. Grant), and contend, that even supposing the government, from the grant of 1765, had fairly been invested with this right, they were not justified, when, after a lapse of forty-five years, they had thought proper to abandon it, in reassuming, as their caprice dictated, that monopoly which they had solemnly given up. He could not see the justice of an argument which said, "It is true we publicly give up this monopoly to-day, but it is our intention, under the rose, to lay hold of it again to-morrow." The Company's regulations were analogous to acts of parliament, and if, when they dissolved this monopoly, they wished to prevent persons from speculating in saltpetre, on account of their private determination to take the trade into their own hands at a future period, they ought to have added a rider to the bill, setting forth, "Be it known that this is an article which we have abandoned only for a time; if any person therefore deal in it, let it be *suo periculo*, for we, the Company, mean to prosecute the monopoly whenever we

please." If they had done this, individuals would have understood what they were about; but they had abandoned the monopoly without any qualification whatsoever, and thus induced persons to embark in a traffic with which, under other circumstances, they would have had nothing to do. They had, contrary to any right, re-established this monopoly, by which it appeared Mr. Wilkinson had suffered severely, as his contracts were put an end to, and his calculations of profit fell with them to the ground. The Company admitted the fact that Mr. Wilkinson could not proceed in his speculations; they admitted that the act of their government had prevented him from realizing those profits which in the open market he had a right to expect; they knew that their authorities abroad had admitted his claim, and sent it here for adjudication; and under these circumstances, with so many admissions and confessions in his favour, the question was, whether the court were not bound to treat him with the utmost liberality? Their government confessed that they had done Mr. Wilkinson a wrong or a harm, for in truth he could not see the difference between the two terms, although the Governor-general said that the claimant had sustained a harm and no wrong. He did not care for this distinction: it was acknowledged that Mr. Wilkinson had suffered a harm, and their difficulty was to point out to what extent that harm proceeded and how they were to measure and estimate it. There was but one way of estimating it: looking to the merits of the gentlemen who formed the Bengal committee, which was composed of Mr. Compton (whose sagacity he had good reason to know since he had often met him in the Indian courts of judicature), and other gentlemen of great talent, still he could not agree to the principle on which they proceeded. He did not think they could award remuneration for contingent profits; they could not answer the claim of a man who said "See what a fine fortune I might have made if you had let me alone." But when an individual was standing at the bar of the government, as Mr. Wilkinson then was, they ought not to look merely to the state and extent of his funds at the time the loss was said to have been sustained, but they ought to view the question in a moral and political light. The Company ought to say, "We have done you wrong, what is the amount of injury you have sustained? We know nothing of the sum which you might have realized, but you say that we have inflicted an injury on you, give us then some moral principle and we will send you to our treasurer to be paid." There was a mode of estimating those claims: the question then was by whom they should be estimated? he answered, by

Mr. Wilkinson himself. Here was a penalty which on entering into his contracts Mr. Wilkinson agreed to pay, if he committed any breach of them; might he not then say, "I have agreed to pay 20,000 rupees a year, for each year in which I may happen to infringe my contract, and to that extent I may fairly consider myself a loser." He was aware that it was not always the fair way of deciding on the beneficial tendency of a contract to look merely to the extent of the penalty, since the contractor was not always the person who was able to pay a large penalty, although it had been stipulated for. In that case a contractor must be content with what he could get. This applied to Mr. Wilkinson's nooncahs; they were probably men of that description, who could not, had the contract been infringed by them, pay the stipulated penalty, and if they were to decide on that circumstance, they must be guided, not by what Mr. Wilkinson would absolutely lose by the breach of contract, but by their capability of reimbursing him. Here, however, the contract was dissolved by government, and Mr. Wilkinson was therefore entitled at least to the whole penal charge, amounting to 20,000 rupees a year during the continuance of the contracts. They were, besides, to take many other circumstances into consideration: they were not to forget the anxiety of mind that this gentleman had experienced; not that it could be paid for with gold or bank notes, which now-a-days had become the currency of the country, but they were to give him the best remuneration they could, and that consisted in a grant of money; they were not to pass over the different journeies he had made from Goruckpore to Calcutta, from that to Patna, and finally to Europe. If all these points were duly weighed, he thought the standard which he took to measure Mr. Wilkinson's loss would agree pretty nearly with what had been stated by his learned friend (Mr. Strettell), namely, 1,80,000 rupees; that which the minute of the Marquis of Hastings (which was perhaps the best minute to be found in the whole proceedings) and which the able arguments of Mr. Seton, so highly creditable to his character and understanding, appeared to point at. One singular argument, and a most erroneous one, with which an hon. director had set out, and on which his colleagues had acted, he deemed it necessary to advert to. The gentlemen behind the bar went floundering along, and had committed several very great mistakes. The hon. mover of the amendment had very properly asked, "Will you refrain from doing justice, lest others may be induced to prefer equitable claims? will you commit an unjust act because you are afraid of purchasing the precedent of justice at a large price?"

But let the proprietors look a little farther. Suppose they did purchase this experience dearly, would it not teach the government in India and the court of directors to be more cautious in future? Would they not say, "we must be more sharp than we have been in the exercise of supposed legal powers; we must not go on pell-mell forming and rescinding regulations without considering whether we have a right to do so or not." But the protest said that Dholem Doss had as strong a claim as Mr. Wilkinson: he should answer that assertion by observing, "sufficient for the day is the evil thereof." If Dholem Doss really had a claim, let him go before the governor-general and assert it: but that individual never stated that he had suffered any loss; it was the mere suggestion of the gentlemen behind the bar, for Dholem Doss had not said a word respecting it. A great deal had been said about the list of nooncahs not having been notified to Mr. Wilkinson, and the nature of the security which was required not having been stated to him. He could not well see that if the securities had been known, and the lists made out, it would have altered the case in any one degree. Whether Mr. Wilkinson was as vigilant as he ought to have been, he did not precisely know; but his conduct in that respect could only lay him open to reprimand for some degree of neglect. But when he said, he was far from admitting that any such neglect had existed; on the contrary, it appeared that Mr. Wilkinson manifested a great degree of activity; this, however, did not alter the case. They had implied, in the dissent of certain hon. directors, that if one individual assumed a controul over the saltpetre of one district, another might possess himself of a like power in a different district, and thus the whole trade might at length be monopolized by a few individuals. He wondered that they could lay before men of reasoning judgment such an argument as this. If it were well founded, the government of India must be the most stupid blockheads that could be imagined. It was clear enough, that if they saw an individual proceeding in such a course, they would speedily place him on shipboard and send him from the country. Who had the capital, who the power, who the means of information? Government had all these advantages, and if they suffered by a monopoly, or by allowing individuals to curb or controul them, their conduct must be in the highest degree weak and blameable. It was astonishing how men could sit down and gravely argue that a number of individuals, by taking different districts, might controul the saltpetre trade of all Hindostan; that to prevent such an occurrence persons should be discouraged from embarking in that traffic; and in

furtherance of that view that Mr. Wilkinson should receive no remuneration whatever. But, in point of fact, could not the government have taken a different course? Could they not have authorized a virtual monopoly, if not a declared one? If they found that the speculations of individuals enriched them at the expense of the safety of the state, could they not have imposed such duties on this article as would render it impossible to export it? Could they not, by these means, have prevented the trade altogether, and made it not worth the while of merchants to indulge in such a speculation? "But," said the dissentients, "what makes us unwilling to grant remuneration is, that saltpetre is more a political than a commercial article, and government being alarmed at the extent of a speculation which was entered into with respect to it, were obliged to interfere." Now if the government, from 1811 to 1812, did, with their eyes open, when war was raging to an extremity in Europe, when there was no prospect of peace, for the good Bourbon was not then at Ghent, if at such a time they opened the trade, it did not shew that they considered the proceeding dangerous. That surely was the time to assert their right to this monopoly in written and decisive characters, if they had never claimed it before; instead of which they had thought fit to abandon it. He would not go now into the question, how far Mr. Wilkinson would be able to recover in a court of law? Whatever ground Mr. Wilkinson might have had for such a proceeding was now over, and he came before the court, not with a legal case, but with a case clearly founded in justice and equity. He said to them, "if ever a claim was brought before you which deserved attention, it is that which I now introduce; you have prevented me from pursuing a profitable speculation, you have got possession of the goods which I was the instrument of placing in the market, I have been greatly injured by your conduct. I do not, however, ask you to give up all the profit that you have made through my agency; but as you have interfered with my speculation, I hope you will adopt some standard, by which my losses may be measured and my injuries may be repaired." His learned friend (Mr. Strettell) had sat down with saying that he would not move an amendment to the present motion; he (Mr. Gahagan) did not mean to propose one, not having been for any considerable length of time a member of that court; but he suggested to the hon. mover, whether he did not think the measure of remuneration laid down by Mr. Seton, and now touched upon by his learned friend, was not a fair criterion to guide the judgment of the court in the present case? He must protest against part of the doc-

trine laid down by the hon. mover, which he considered to be extremely injudicious. He had observed, that if Mr. Wilkinson had brought his saltpetre to market and procured a ready sale for it, he would, according to the profits of the time, have realized in one year £60,000. They could not be expected to award remuneration with a view to such a standard as this; and he could only say, that if any private merchant should come forward to government and declare, that under any contract which he might have entered into with the sanction of government, by one single transaction under that contract he could realize so large a sum as £60,000, then he could not help thinking it would be high time to go to the legislature and call for an act of parliament to put a stop to the private trade. If the private merchants made such enormous profits to the injury of the Company, the latter had a right to seek some means by which they could defend their own interests; but because Mr. Wilkinson might have made £60,000 in one year, was he therefore to come and say that his losses were to be judged by that criterion? It was not a moral criterion, and he could not consent to admit it.

Mr. *Forbes* interrupted the hon. proprietor. He most unquestionably did say, that according to the price of saltpetre at the Company's sales, had Mr. Wilkinson's contract for one year been fulfilled, and the saltpetre sold at those sales, it would have produced the sum he had mentioned: he spoke only according to the known price of the day, and did not say that the produce, during the whole of the five years, would have been of equal amount.

Mr. *Gahagan* said, he understood one year to have been adduced as a criterion by which the profits of the whole five might be estimated. He, however, objected to fixing the claim on so untenable a ground as that of a speculation in trading profits.

Mr. *Forbes* said, he wished to shew the court, when he mentioned the sum which Mr. Wilkinson might have realized, that the Company had derived great advantage from the resumption of this trade.

Mr. *Gahagan* said, the court could not form their estimate of what was fit to be awarded to Mr. Wilkinson by a reference to contingent profits depending on the state of the sales and market in this country; that was not the standard by which they could grant him remuneration. He had himself, in the course of these proceedings, pointed out what he considered a fair remuneration for his losses, and if to this they added some thousand rupees to meet the expenses he had incurred for five years, in journeying from place to place, and finally coming to England, it would amount to about the sum of 1,80,000 rupees, the measure of com-

pensation that was laid down by Mr. Seton.

Mr. *Forbes* said, he merely wished to impress on the court that Mr. Wilkinson did not seek to take anything out of the pocket of the Company. He had expressly mentioned that the sum of £100,000 at least had been put into the Company's treasury by this transaction, a fact which the court of directors could have no hesitation in admitting; his own private opinion however was, that the Company had gained nearly double that amount. He did not wish Mr. Wilkinson's remuneration to be calculated by that sum; but he mentioned it to remove from the minds of the proprietors any idea that Mr. Wilkinson desired to take money out of the pocket of the Company to which he was not fairly entitled. He contended, that the Company made a very large fortune by the resumption of this monopoly; that fortune which, but for their interference, Mr. Wilkinson would have realized.

Mr. *Grant* said, he felt it necessary to enter into a short explanation on some points contained in the speech of the learned member (Mr. Gahagan), who appeared to have fallen into several errors. The learned member could discover no reason for the Company's exercising the right of imposing what he called a monopoly. Now he would take the liberty of shewing the reason on which that right was founded; a right, he would maintain, which was tantamount to any interest the Company had in the land itself. They enjoyed that right before they possessed the Dewannee; it was exercised under the sanction of this country, and was held on the same footing as any other right which the Company claimed. In the year 1757 this privilege was granted to them by one of the native powers. Through the means of Lord Clive the saltpetre manufacture in the district of Behar was made over to the Company, and by the terms of the grant, the Company were empowered to establish proper authorities throughout the district, who were to see that the saltpetre was preserved for the Company, and to whom strict orders were given not to sell an ounce to any other persons; it was a grant of property to the Company as much as any grant that could be imagined, and those proprietary rights were vested in them to use in any manner they pleased. He could see no reason for advancing an argument, that they had not a right to proceed in that way which appeared most advantageous to them with respect to the produce of those lands, as strong and indefeasible as that which they possessed over any portion of territory of which they were proprietors. Certain commodities had been made articles of monopoly in India, and those monopolies were recognized by the legislature here, which

had not meddled with them. By the last charter, or the act of 1813, the trade to Bengal was thrown open to any person who chose to embark in it; but even then, the importation of all articles to this country was not allowed. With respect to what had been said, as to the opposition which would be shewn to the introduction of a monopoly here, it ought to be observed that there was a wide distinction between the rights and powers of the British legislature and those exercised by the government of Bengal; the acts of the latter, though of a different kind from those commonly known in this country, were recognized, and by that recognition rendered valid by the government here. For instance, the monopoly of salt had existed for many years, and was continued at this day under the sanction of British authority. The learned gentleman had quarrelled with the regulation of the Bengal government of 1811, by which it was directed that the monopoly of the saltpetre trade should no longer continue. From this act he drew a very extraordinary inference, namely, that the Company thereby confessed they had no right whatever to enact such a monopoly. Certainly it appeared to him that the argument made directly the other way. He was at a loss to conceive how the laying down of a right, which a public body had exercised for fifty years, could be advanced as a proof that they were not entitled, directly or indirectly, to the possession of such a power. But gentlemen had argued, that the Company, in point of fact, had no right to control this trade: he (Mr. Grant) should controvert that argument, and, in doing so, he should be borne out by the evidence of facts. In 1797 all the existing regulations formed by the Bengal government (unless in cases specifically provided for), were recognized by the legislature. The monopoly in question existed at the time, and not being objected to, had all the sanction which was extended to the other local acts: the government of Bengal were therefore perfectly regular in the course they had adopted. With respect to the right of the Company to continue this monopoly, the learned gentleman had entirely failed to overturn it. The question of Mr. Wilkinson's claim might be supported perhaps on a different principle; but the power of the Company to exercise the authority, which the learned gentleman seemed inclined to impugn, stood on as strong grounds as could be well conceived. The regulation which placed in the hands of the Company a complete control over the saltpetre trade, had been sanctioned by the government of India, and, along with other regulations, was recognized by an act of the British parliament passed in 1797.

Mr. *Gahagan* said, that the document

to which the hon. director alluded had shewn the nature of the grant of the saltpetre lands to the Bengal government, but it did not appear to prove that the Bengal government had derived any right, under such grant, to exclude individuals from a participation in the saltpetre trade. As to the regulation of 1811, what he said was this: that it was singular, if the Company possessed a right of this nature, that it was exercised without any regulation from the year 1757 to 1811; and that the very first regulation promulgated on the subject, went to abolish the monopoly, instead of asserting it. As to the sanction given by the legislature to the regulations of the Bengal government by the act of 1797, it should be recollected, that no regulation, authorising a monopoly of saltpetre, had been sent forth by the government till the year 1812; it was clear, therefore, that this regulation could not have received the sanction of the government at home, except it was to be found in the act to which he had before alluded, by which a monopoly of salt, betel-nut, tobacco, and rice, was permitted.

Mr. Grant said, the act of 1797 recognized and sanctioned what the government of Bengal did at that day, and amongst other things their preserving a monopoly of the saltpetre trade. There was no necessity for a specific regulation, for the establishment of that which had so long existed; regulations were introduced at a subsequent period, for other purposes.

Mr. Wilkinson said, peculiarly circumstanced as he was, he appeared before the court with reluctance, and he entreated their indulgence for a few minutes. He had been long in India, and he conceived that he was competent to deliver an opinion on one circumstance to which the attention of the learned gentleman (Mr. Gahagan) had been drawn. He spoke within the hearing of several most respectable servants of the Company, and he called on any one of them to point out any regulation promulgated with respect to a monopoly of saltpetre, from the accession of the Dewannee, in 1765, until the year 1812: if there were such a regulation it could easily be found. He would now submit to the court all the rights, with respect to the saltpetre lands, that were granted to the Company. He would read the instrument under which those rights were derived: the right of which the Company were possessed, under the grant of Jaffier Aly Khan, was to collect saltpetre from all the lands that produced it.

Mr. Grant. "The salt lands were made over to them."

Mr. Wilkinson continued. Whatever rights the Company might have originally possessed, it was clear, from the docu-

ments he held in his hand, that they had sold them. The letter of Mr. Leycester (the judge of the district) informed government, in 1812, "that the Rajah Burkeshire Sing was the proprietor of the nemuck sayer mehal, or right of collecting saltpetre and salt from the lands which produced these articles in Sircar Sarun; that he had bought the same, together with several villages, at the collector's sale, for the sum of 28,000 sicca rupees, subject to an annual rent to the government of 2,993 rupees. That this purchase necessarily gave him the power either of collecting the saltpetre himself, or of letting the lands in farm to others, a right which, in fact, he had regularly exercised for the last nine years, and that the present farmer of the same was Doolum Doss, the contractor with Mr. Wilkinson, who paid the Rajah an annual rent of 4,000 rupees." When the resident heard that he (Mr. W.) had contracted for saltpetre with the manufacturers, at prices nearly double those of the hon. Company, and that Doolum Doss held, in fact, the *nemuck sayer mehal*, he immediately took the alarm, and called upon the board of trade to ascertain by what right this was done, as he had always understood those mehals were held by the Company. The board of trade applied to government, and the government to the first authority in India on such a subject, *viz.* the board of revenue; and what was the answer? why, a complete confirmation of all Mr. Leycester had before stated. He (Mr. W.) would read the passage. "It appears, from a reference to the records of our office, that the *nemuck sayer mehal* of Sircar Sarun was sold, together with eight villages, in the year 1803, for a balance of revenue, and purchased by Rajah Burkeshire Sing for 28,000 rupees, the annual rent of the same (payable to government) being 2,993 rupees. The statement of the commercial resident, that the said mehal is held *khas*, or in the hands of the Company, is consequently erroneous." On the receipt of this letter the Governor-gen. in council again addressed the board of trade, and desired them to consider of such measures as might obviate, under these circumstances, the difficulty that would arise in carrying into effect, what? the monopoly of this very article of saltpetre, established by regulation 8 of 1812. Well indeed might difficulty occur, for it was clear that the right of collecting saltpetre could not belong to two parties: it could not at the same time belong to him who had bought, and to those who had sold it; and he should be glad to know, how this inherent inalienable right, as it had been described, could be maintained under such positive proofs of its sale for 28,000

rupees, and its assessment at an annual rent of 2,993 rupees? Nay, Mr. Leycester stated that he found on inquiry that Rajah Burkishire Sing, who made the purchase in 1803, had regularly exercised the right which that purchase gave him, of farming out the mehal from that period up to the year 1812, during which time the right was never for a moment disputed. But the Company having sold this property, having received for it a valuable consideration of 28,000 rupees, when they wanted to enforce a monopoly, destroyed the privilege they had previously disposed of; and this was done without making any return of the purchase money, without offering any compensation to the Rajah, or to those whose interests were equally assailed by the resumption.

Mr. *Grant* said, the whole of what the hon. proprietor stated went to this, that the revenue was sold, but not the privilege of the saltpetre trade. He did not understand that the Company ever gave up the privilege until 1811. They sold the rent, that was all.

Mr. *Wilkinson* said, the sale was an absolute one, and related to that particular nemuck sayer mehal, in which he had increased the number of saltpetre factories from 450 to 1,100, and where the advances of the Company were refused. With the utmost deference to the hon. director, it could not be the revenue that was sold, but the right of collecting the saltpetre, for which right a yearly rent of 2,993 rupees was paid to the very government who sold the mehal; a fact in itself demonstrative of the nature of the transaction. During a twenty years' residence in India, he was in perfect ignorance of any regulation on the subject of this trade. He was undoubtedly amenable to the law; but he knew of no power which the Company possessed to make a law or regulation by which A, B, and C, were sold, "take notice, this is a monopoly in our hands," they having been previously permitted to embark in the trade.

Mr. *Grant* said, he had already explained that a great number of the privileges which the Company possessed were enjoyed antecedently to the Company's regulations, and remained in the same situation as they were before any regulation was passed. Amongst these was the privilege with respect to the salt lands.

Mr. *Lowndes* said, as saltpetre formed a component part of gunpowder, it was probable that the Company, when they sold lands, retained the right of keeping that article for their own use, as lords of manors always preserved the right of keeping partridges and other game for themselves. If the Company had not done so they certainly acted wrong, because they gave ill-disposed persons an opportunity of furnishing their enemies

with an article of the first importance in carrying on war. The ground on which Mr. Wilkinson seemed to stand was, that the court ought to abide by the decision of the government of India. He had no objection to this as far as the principle was concerned, provided the damages given in this case were open to any alteration the court might deem necessary. He should be sorry that the appeal had been made to them, except for one reason, that they now began to discuss their right to a privilege which they had not thought of before. Formerly they did not know whether they had or had not a right to this monopoly of saltpetre; but when they canvassed the subject, they discovered that the power was theirs. In cases of this kind, he thought the parties ought to act like husband and wife who had quarrelled, and meet each other half way. When they took into consideration the anxiety of mind Mr. Wilkinson had suffered, the time he had lost, nearly seven years, in prosecuting his claim, and the great expense he must have incurred in travelling to and fro in India, and at length coming to this country, it was impossible not to feel greatly interested for the success of his application. There were, however, other points which they were also bound to look to. Many merchants had lost considerably by advancing money on the faith of government, by importing corn for instance, under particular circumstances: but what was said to them by the House of Commons when they complained of their loss? "We are very sorry, indeed, that you have not gained by your speculation; but if you had, would you have given the country any share of the profit?" Many persons, he knew, came forward to claim remuneration for losses, but he never heard of one who had said, "some years ago, when I lost by a speculation, government indemnified me; I have now gained considerably by a second speculation, and I will give up a part of my profits in order to balance the account." It was said that it would not be prudent to go the whole length of granting to Mr. Wilkinson the larger sum now proposed; that it would, in fact, be doing injustice to themselves, and would perhaps open the door to many other claimants. There might be some truth in this, but when it was argued that Mr. Wilkinson ought to receive no remuneration, because the Company exercised a power in India which was unknown in this country, it did appear to him that, on that very account, they were bound to temper the rigour of the case, in order to remove the sting which was inseparable from the idea of an arbitrary government. If it went abroad that arbitrary acts were committed, and that those who suffered by them were not remunerated, indi-

viduals would not risk their money under such a system, and the prosperity of the Company would be destroyed. They would not, he believed, ever have another case relative to the saltpetre trade brought before them, because he supposed it would not in future be suffered in any other hands but those of the Company. He contended that saltpetre, being a munition of war, was virtually lodged in the hands of the East-India Company; and he wondered how gentlemen could lose so much time in discussing a point that appeared self-evident. It seemed that certain lands which produced saltpetre had been sold by the Company, but it did not follow that the privilege to make and dispose of saltpetre was also sold. A man might purchase an estate, but he was not entitled to take away minerals unless his contract specifically stated that he was. Lord Southwell sold his estates in Derbyshire a century ago, and within the last three years a great trial took place with respect to the minerals which it produced. In this case the honour and justice of the Company were concerned, for it was evident Mr. Wilkinson acted in consequence of the regulation their government sent forth. He would here relate an observation of a great man (Mr. Wilberforce), whose humane efforts had put an end to the slave trade, which was perfectly relevant to the subject. A friend observed to him, "what a great hardship this measure will inflict on the West India planters." "I say so, too," observed he: "God forbid, that, in a country like this, when individuals wish to put down a trade, they should neglect to do it in such a way as would secure from injury the great capitalist, who embarked his money on the faith of government." If such a principle applied to a diabolical and infamous trade, it must operate with still greater force with reference to a trade neither infamous nor diabolical, except when, as an ingredient of gunpowder, it was in the hands of a bad government, such as the late government of France.—(A laugh) With respect to the two propositions before the court, the one for 2,88,800 the other for 75,500 rupees, he hoped they would not agree to either, but that they would take a middle course, and steer clear of Scylla and Charybdis. By this means they would stamp their character as a great, a wise, and a liberal company. They had for once suffered an individual to deal in this article: he hoped they would not do so again; but that, if they chose to give up the monopoly, they would cause it to be proclaimed all over India, that if gentlemen chose to embark in this trade it was at their own peril. If this were done there would be no addition to Mr. Wilkinson's case.

Mr. Pattison said, at that late hour of

the day he would not consume much of the time of the court. His name was affixed to the paper dissenting from the grant of the smaller sum of money which the committee of buying and warehouses had recommended to be paid to Mr. Wilkinson. It had been said by a learned gentleman (Mr. Gahagan), that he was astonished nine men could be found to adopt the opinion contained in that document. Nine men, however, did sign it; men who possessed, as much as the learned gentleman did, the kindly and affectionate feelings of human nature, who felt as much as he could for the privations and sufferings of an unfortunate individual. Now he would tell the learned gentleman, that he prided himself on being one of those nine men, who dared, in spite of any unpopularity that might attach to the act, to perform a painful but a necessary duty. He considered himself as one of twenty-four persons chosen by the East-India Company to look zealously after their important concerns, and to watch with a vigilant eye over the expenditure of their money. When Mr. Wilkinson's case was brought before him, he looked at it in the most favourable manner, because, from every account that he had heard, that gentleman was a person of great respectability and of much consideration; but after giving his best attention to the claim which he had preferred, he could find nothing in it but assertion. He perceived one fatal flaw in his claim, which was, that he had sustained no actual loss; he appeared only to have lost hypothetical and imaginary profits, and a number of figures were brought to bear, in order to shew what these profits might be. They were, in fact, magnified on an oriental scale, and their embellishments surprised him not a little: they were gravely told that in one year, had he been suffered to go on with his contracts, he would have made no less a sum than £60,000. He was very glad the hon. mover of the amendment had not taken this sum as the basis of his calculation, and called on the court to give Mr. Wilkinson a grant of £360,000 for five years: so extravagant was the statement itself, that he rejoiced the hon. mover had not recourse to a little more oriental calculation, in order to arrive at this sum. The report was taken up with great consideration by the court of directors: there was in the committee a strong difference of opinion about it, and, finally, it was carried by a bare majority; therefore it appeared that there were difficulties in the very outset of the case, and under such circumstances it could not be passed over in that easy manner which some gentlemen seemed to imagine. If it were viewed through the medium of partiality, the claim might be easily decided; but if examined through the critical medium of figures and docu-

ments, it would be found very difficult to come to a just conclusion. The report, as he had already observed, was carried to the court of directors, and there also a very considerable difference of opinion prevailed: *nine* gentlemen were opposed to it, and *twelve* appeared in favour of it. That it was a subject of extreme difficulty was manifest from this circumstance, that the luminous mind of the hon. director who had recently spoken on the case was not able to arrive at a clear and decided result on the question until he had given it a good deal of consideration. Nothing, he conceived, could be a greater proof that this was a subject of no common intricacy, than the hon. director's confession that he could not make up his mind on it without considerable deliberation. He was very glad to find that the hon. director's opinion was pretty much the same with that of the committee; he came to a conclusion which was certainly creditable to his feelings, that Mr. Wilkinson had no claim of right, but that he had a claim on the liberality of the Company; all his arguments certainly supported, in a strong and eminent degree, the opinions of the minority. Having given very laborious attention to the subject, and being one of the persons who advised that it should be deliberately considered, he deeply lamented the course pursued on the present occasion; he thought Mr. Wilkinson (and though he named him when he was in court, he could assure him it was not from any feeling of disrespect) would have acted wisely if he had not appeared before them; his presence on this occasion he, as an individual, begged leave to deplore; on a question so wholly of a personal nature, he conceived that his absence would have been much better. Saying this, he should observe, that he scorned to say any thing behind that gentleman's back which he would be ashamed to say in his presence; but the court of directors did find, from the course which was adopted, that their proceedings were, to a certain extent, broken in upon by private feelings and affections. He might, perhaps, hurt the feelings of individuals on this occasion; he was sorry for it, but still he must speak out his mind. How then were the Company situated? He asked the hon. Chairman, and he demanded of the executive body, how the interests of the Company could be protected, if sums of such magnitude were drawn from their funds? What was to become of their dividends? Here they were called on to vote £36,000, with 4 or £5000 interest, calculated at the rate of eight per cent. in order to give it an oriental character, a complete Arabic appearance! From what funds was this sum to be taken? from their commercial funds. Gentlemen would

do well to recollect, that it was from this source their dividends were to be paid, and they ought to take care that it should not be impaired. When he made this observation, it was far from his desire not to do substantial justice, but he earnestly wished to prevent lavish and unnecessary grants. (*Hear, hear!*) He was cheered from both sides of the court, and he hoped it was the justness of the remark that created the interruption. He would suppose, for a moment, that those papers, which were extremely voluminous, were read by twelve persons, and he believed he was right when he assumed that they were not perused by more. Were they, having made themselves masters of the question, to decide on its merits? certainly not; it would be decided by some scores of individuals, acting from the impulse of those warm feelings which an hon. proprietor (Mr. Dixon) truly stated to be in constant opposition against corporate bodies. Bring an individual in collision with a public body, and the cause directly became that of the public; the individual was considered to be perfectly right, and the public was always declared to be wrong. It was the right of every great public body to give away their own money; but he thought that a privilege of such high importance ought to be exercised with a very sound and cautious discretion. He was of opinion that this discretion was totally lost sight of, when so large a sum of money as that comprised in the amendment was asked to be voted away, and, for his own part, he never could accede to the view taken of the subject by the hon. proprietor with whom it originated. The court of directors had agreed to the smallest compensation, that which had been awarded by the board of trade: they had not conceived it right to vote such a sum of money as that proposed by Mr. Seton, and a committee which was, he was ready to admit, composed of honorable and most respectable individuals; but he could not help saying, with all due regard to the character of those individuals, that they appeared to him to have been influenced by their contiguity to the claimant, and they all knew that contiguity produced a favourable leaning. He spoke as a man who knew and felt the weakness of the human mind. When persons were often in the habit of coming in contact, it removed that aptitude to the minute investigation of circumstances which generally existed where no such intimacy was formed. The friends and advocates of Mr. Wilkinson, who had carried his claim in the court of directors, had marked their sense of the amount of remuneration which ought to be given to him under the circumstances disclosed in the documents. He was sorry that a



fresh proposition had been made, which he deprecated as fraught with most serious evil to the interests of the Company. If he could hope to persuade the hon. proprietor who brought it forward to withdraw his amendment, but that he feared it was vain to expect, he would exert his best faculties for the purpose; and of this he was sure, that by so doing the hon. proprietor would place Mr. Wilkinson's cause in a much better situation than that in which it at present stood. He did not however say, in advising this course, that he would withdraw his opposition even to the minor side, for to that also he objected: his opinion might be erroneous, but he conscientiously thought that the introduction of such a claim to a body so composed as the East-India Company, and brought forward too in such a manner, threatened the most fatal consequences to the Company. He begged pardon for touching on a matter of so delicate a nature, but he had a great duty to perform, and he would never shrink from its execution.

Mr. Wilkinson said, he rose with the greatest reluctance to offer a few words in his own defence. Having been personally alluded to by the hon. director, and feeling that, under common circumstances, he might claim the right of appeal to the court, he was afraid, if he did not take that course at present, he might be supposed to merit that censure which had been cast on him. He begged it to be understood, that he never considered himself as coming to the court of proprietors to plead his cause: his cause had already been pleaded and determined, and he asked by whom? not by those whom he had selected to be his judges, but by those individuals whom the constituted authorities of their government in India had solicited to examine and report on two distinct points.—(*Hear, hear!*)—This incontrovertible statement must therefore relieve him from any appearance of indelicacy, in being present in that court while the discussion was going forward. If he were making a claim founded only on his mere *ipse dixit*, then he trusted he had sufficient of that fine feeling which the hon. director, he had no doubt, possessed, to induce him to abstain from entering the court. The hon. director had made use of the word contiguity: they all could very well understand his meaning, but the term was not correctly applied on this occasion. He had also laid very great stress on the word oriental, as if it were meant to convey some reproach with it; but the hon. director must be aware that the whole of the transaction having taken place in India, the calculations could only be correctly made with reference to the currency and rate of interest

in that country. He seemed to think that the rate of interest was too great; but he (Mr. Wilkinson) had been for nineteen years of his life paying twelve per cent. on his securities, and he did not conceive that any imputation rested on those who received it. As to contiguity, his avocations had for nineteen years prevented him from making any powerful connections in India; they called him to obscure parts of the country, where there was little chance of attaining such an advantage. With respect to those who were constituted his judges, he now declared, upon his honour, that to two of them he was personally unknown at the time of their nomination; but if it had been otherwise, there was no man who knew them who would not say that, if the interests of the most intimate friend they had were submitted to them to weigh and decide on, their honour and their integrity would lead them to do that which was just, without any reference to private feeling. (*Hear, hear!*) It was most painful to his feelings to be called on to speak in the praise of those individuals, when there were very many persons in that court who could do them greater justice, though there was not one who felt a more sincere respect for their integrity and their talents. He hoped, at all events, that he had cleared himself from the imputation of indelicacy. This was the sixth court in which he stood for justice, and for justice only: he came not to claim their compassion; if his cause were not founded in justice, let it fail, for he utterly disclaimed their charity. (*Hear, hear!*)

Mr. R. Jackson said, the hon. director who had recently spoken, on all questions of this kind, as long as human nature could exert its powers to rise above the passions, would, he believed, in the discharge of a public duty soar above all personal predilections, all personal affections, all mildly warm feelings, and look only to that which was most correct and creditable. With the same feeling which had marked his conduct on other occasions, he would now, for the sake of the public creditor, preserve the sanctity of their public fund. Sentiments like these reflected a higher degree of honour than any that could flow from titles or from property. If they were not just, just to the conviction of all mankind, character was lost, and it was of little consequence what property they possessed, that would soon be destroyed also. (*Hear, hear!*) He entirely differed from those who treated this as a complicated and difficult question: he knew but of one difficulty, and that was touched upon with great ability by a learned gentleman (Mr. Gahagan), in a speech of as much promise as he had for some time the pleasure of hearing: he meant the difficulty

of measuring the amount of compensation. The hon. director had set out with stating that he was one of nine gentlemen who opposed compensation altogether; and he designated that principle as extravagant, which had been conceded by every authority in India, by the committee of warehouses here, and lastly, by the court of directors itself. The question was, in his opinion, as reducible to a set of principles as plain as were ever acted on in the art of government. The object was to obtain that which should never be lost sight of, in all life, public and private, the due administration of sound moral principle. A few moments of historical review would clearly shew where the justice of the case lay; and if it would not assist them to apportion the amount of compensation, it would at all events place before them a rule which would direct even this question of much of its difficulty. They had learned that the Company exercised a virtual monopoly in saltpetre until about the year 1811, and there had been much discourse, and, he would add, superfluous discourse, to decide whether this power amounted to an inherent despotic right depending on the Company's sovereignty in Bengal, or whether it was so contrary to the principles of the British government as only to be admitted in those cases where that government had expressly sanctioned it. They had nothing whatever to do with those questions; for in proportion as the advocates for this monopoly argued that it should be rigorous, so in proportion was the solemnity of that act which said to all India "this sovereignty, this power, now ceases, although we have exercised it since the year 1765, because it is no longer necessary to pursue such a policy." Various motives might have induced this proceeding. It might have been said by the Indian government, "this monopoly has the effect of cramping trade, contrary to the free spirit of commerce; perhaps it is in contravention of the act of 1793, and it is probable that it will be most strongly opposed to those principles which we learn from Europe are to distinguish the coming charter. We will therefore proclaim to India (the Governor-general in council having declared his opinion on the subject some time before) that the restriction on this trade shall cease." What were the methods adopted to make this abandonment of the monopoly public? Were they or were they not methods that carried great and direct encouragement to every merchant to adventure his capital in the newly-opened trade to fall in with the views and schemes of government, to incite the native landholder and manufacturer to embark at once in a traffic which held out such tempting prospects? The government pro-

claimed "the monopoly is entirely at an end; manufacture as much saltpetre as you can; trade in that article to whatever extent you may, you have the utmost encouragement" (indeed the Marquis of Hastings used a more proper term and called it *seduction*) "to proceed. You thereby assist us in effecting a great political result, and henceforth the trade shall be as free as that in cotton or any other article." What was done after proclamation had been so made? public instruments were sent to every judge, to every magistrate, from the most elevated down to the most humble, in the Company's dominions, apprising them that government had rescinded this monopoly, and therefore that persons brought before them charged with manufacturing saltpetre were not liable to any penalty. All persons were desired to take notice that the monopoly in saltpetre was, for certain great purposes therein declared, completely put an end to, and merchants were desired to trade in that article, as government deemed it expedient to encourage a general traffic of that kind. Under this promise, under this proclamation, under this notice, which was given to every judge and magistrate, Mr. Wilkinson, who had long resided in India, took advantage of the opportunity, and as an experienced merchant entered into certain contracts. When those contracts were formed the circumstances were most propitious; the instruments themselves were legally formal, and the profits that were expected to arise from their fulfilment were to a given degree morally certain. Government were, however, pleased (for purposes which formed no part of this question, but which no doubt were wise and profound) to revoke the latitude they had previously given to this trade, and to say suddenly to all parties concerned, "from this hour that traffic which we encouraged you to enter into openly is a monopoly once more." What was the effect of this resumption of the monopoly? It was telling the mercantile body, that whereas, after the first of such a month, to enter into contracts for the purchase of saltpetre would be a high offence against the government, and that therefore all contracts that had been entered into under the previous public decree which threw open the trade were rendered null and void, and he who, from a sense of honorable feeling, shall fulfil his contract, would be liable to severe punishment." He (Mr. Jackson) was not against the sovereign authority exercising their great functions, and doing this apparently harsh deed, if the public welfare required it; but all acts which had in view the public welfare ought to proceed on the principles recognised by the British constitution, and by every free constitution under heaven; in

other words, care ought to be taken that those who were injured by measures intended for the public benefit should have due reparation. Nothing was more common under our free government, than to inflict great private injury in order to achieve a much greater public good; not a session of parliament passed that did not present cases of this kind. Let the court see the manner in which a British legislature spoke on this subject; let them consider how the British legislature governed itself. Under circumstances of this nature they would find that it gave the utmost weight, and attached the highest importance to this principle, that no man should lose a single rupee, however great his claim for remuneration, in consequence of any act passed for the public service. A memorable instance of this occurred not many years since, when it was found convenient to form West India docks in the neighbourhood of the metropolis: the family of an hon. proprietor behind him (Mr. Dixon), than whom no man was more apt in the discussion of mercantile subjects, although he totally differed from him on this question, must have been totally ruined and undone, if the principles which he had just laid down had been acted on as good and valid ones when the formation of those docks was agreed on. That fortune which the hon. proprietor hoped to hand down to his posterity must have been greatly impaired, if not wholly annihilated, by a measure which would have carried destruction and disappointment into every commercial concern on the banks of the Thames, if legislative justice had not interfered. What did the government say on that occasion? they said to the public, "be not alarmed, the great condition of this improvement shall be, that every individual who suffers private injury shall be fully indemnified."—(*Hear, hear!*)—Was this indemnity confined to losses which they proved had already been received? no, they were allowed to act on the great principle which, for the first time, he had heard impugned this day, they were suffered to charge for prospective losses; they were admitted to deduce from the past what they were likely to gain in future.—(*Hear, hear!*)—They argued, from what they realised in former years, that, in the time to come, they would receive such a certain profit.—(*Hear, hear!*)—The principle was carried even farther: when individuals held tenements at will, tenements of which they might be dispossessed after three or six months notice, even here the courts of law and the government of the country were bound to grant relief, the legislature having introduced a provision into the bill, that every loss individuals could prove should be fully indemnified. The

speculative principle on which this provision was founded was this:—"If," said the legislature, "those persons enjoyed these tenements for some years, paying their rent fairly, perhaps paying an honorable increase of rent, the fair presumption is that the landlord would have continued them as tenants, and that they would, as they had done, continue to realize large profits." On this just and liberal principle the legislature acted, and no man was suffered to lament, on account of unrequited losses, that those improvements had been projected. The injuries sustained by individuals, in consequence of the operations of water companies, of bridge companies, of dock companies, were always provided for on this principle, which was applicable to all cases where private wrong must be committed in order to insure public benefit. This principle was recognised times out of number, as a just legislative principle, that, unless the contemplated public benefit was sufficiently great to outweigh the consideration of the expense attendant on private injury, it was not worthy the attention of government. Therefore, without at all entering into the motives which influenced the Indian government to re-establish this monopoly, there was not, he conceived, a proposition of moral right more plain than this, "that, inasmuch as, by an act of state, you resumed that which the state had previously given up, and thus put an end to a traffic which you encouraged and created, it becomes your duty to indemnify those parties who are suffering from your contrariety of measures." If the matter had gone no farther, there would have been here a case for indemnification: but a promise of indemnity was given. Government proposed to indemnify Mr. Wilkinson in a manner with which he was satisfied, with which the board of trade was satisfied, although that proposition was never carried into effect. He might here be allowed to make a few observations on the probability of Mr. Wilkinson's case being hereafter quoted as a precedent. To argue that, from an apprehension of this description, the claim of this gentleman should be rejected, was a misapplication, a perversion of reasoning. He (Mr. Jackson) stood not there to ask what it would cost him to be honest; he was bound to be so, let it cost what it might.—(*Hear, hear!*) But what said the board of trade, who were chosen by the Marquis of Hastings to investigate the case: "We have," said they, "attentively considered the subject, and we find, that by the encouragement which government held out by the proclamation that had been made of the rescinding of the restriction on the saltpetre trade, Mr. Wilkinson, having a consider-

able command of capital, was induced to embark in it, and is likely to suffer great injury by your subsequent act in resuming the monopoly, therefore we think he should have liberty to conclude his contracts, without being subject to those conditions, the infraction of which would throw on any other man the *onus* of proving by what legal authority he carried on the trade, and which, if he failed to make out a satisfactory case, would call on the government to inflict punishment on him; still, however, Mr. Wilkinson must agree to other conditions. And what were the conditions on which Mr. Wilkinson was to have permission to proceed with his contracts? They were two in number: one was, "you shall give security, satisfactory to government, that you will not, under this permission, exceed the amount of saltpetre for the manufacture of which you have already contracted." Let those who were apprehensive that Mr. Wilkinson might have monopolised the saltpetre trade of this province, that if he were permitted to go on he might have engrossed it to himself, let them consider this condition a little, and they would find that government had rendered it impossible. Mr. Wilkinson could not accomplish a monopoly, inasmuch as he was called on to give security to the Bengal government that he would not exceed the amount of his known contracts. The second condition was, "you shall not seek for a supply of saltpetre from any of those *nooneahs*, or manufacturers of saltpetre, who are indebted to the government;" for which purpose Mr. Wilkinson was to be furnished by the government with a list of those individuals to whom advances had been made, and he was also to be informed of the nature and extent of the securities required. It so happened, however, and it was a most extraordinary fact, that he was not furnished with either the one or the other; (*Hear, hear!*) and it would have been highly penal if he had bought a single hundred-weight of saltpetre, after the declaration of government, without giving security. (*Hear, hear!*) Had he done so, he would have been guilty of a misdemeanour; and it was possible, (perhaps at present impossible, considering the noble mind that now governed, and enlightened, and shed glory on that country) but they had known instances where the first notice of an error was not an inquiry, but a hint that the sooner the individual took his passage for Europe the better! he who dared to raise his finger against the decrees of that government was embarked at once for Europe. He admitted that the coercive nature of the Indian government was attended with good effects; he believed it was rarely, if ever, exerted in a way which could justly be complained of; but this he knew also,

that no government in the world, when it did raise its hand, let it fall more heavily or more mortally on the object of its displeasure than the government of India. It was said that Mr. Wilkinson did not move with all the celerity and expedition he might have done, and that to this tardiness was to be attributed his failure in procuring the lists of the *nooneahs*, and the nature of the security he was to give; but the Marquis of Hastings had put this entirely out of the question: he had given Mr. Wilkinson the credit of forbearance for not adopting a course of importunity, which, if he or any other person pursued towards the government, they would probably become the subject of censure. It was cruel, therefore, to impeach a gentleman as being guilty of *laches* because he acted with respect and delicacy, because he did not bully and insult a government. (*Hear, hear!*) The board of trade, in their minute, admitted that the delay of the resident in not furnishing the necessary list was not satisfactorily accounted for; they considered it to be without excuse, and they declared that they did not wish to screen themselves from any portion of blame which his conduct might be supposed to attach to them. It was allowed throughout, that the delay of government in furnishing those lists, without which to deal in saltpetre would have been highly penal, prevented Mr. Wilkinson from proceeding with his contracts as completely as if no conditions had been granted to him. It was untrue to say that he wrote no letter, that he made no application on the subject. At the very time when he was charged with lassitude, when he was accused of indifference, he proceeded from Goruckpore to Calcutta, where he and his agent were making applications daily on the subject to the proper authorities; but because the board of trade did not find letters from Mr. Wilkinson on their journals (and where was the necessity for writing when he was on the spot), they concluded that he had been supine and negligent. What would they have said if he had written strongly to them, if he had addressed them in what they would have called a strain of accusation? then it would have been said, "Mr. Wilkinson has committed a high personal offence, silence would have been more prudent;" and when he did not write, when he confined himself to personal application, he was charged with a want of due diligence! This was the circumstance that misled the noble marquis to take the view he had done. It was said that the board of trade, having made the estimate which the resolution of the court of directors recognized, it was proper that they should decide the *quantum* of remuneration. He denied the force of this observation; the

board of trade had put themselves in the wrong in consequence of their own delay. They were, of course, determined to put their masters to as little expense as they could, knowing that it was entirely to be attributed to the tardiness of their proceedings, and they therefore named 75,000 rupees, being in their opinion the lowest sum that could be offered. But it was argued, that no loss whatever was proved. On what principle, then, did they calculate? why was any remuneration offered? The fact was, the government admitted that a loss was incurred, and a very large one too, the remuneration for which the board of trade confined to a very limited scale; to a sum, if fairly considered, not more than enough to defray the expenses of his different *fournies*. But it was impossible to shake him and others from the ground which they took in estimating the amount of remuneration which Mr. Wilkinson might fairly claim; namely, that in the two years during which the monopoly was in operation, he must have collected such a quantity of saltpetre. They calculated the value of this article without any reference to a speculative price; they looked to what it absolutely sold for in the open market at Calcutta, which afforded them a *datum* on which they had a right to rely. Those who opposed Mr. Wilkinson's claim might say that it was impossible to prove, to a mathematical demonstration, what profit Mr. Wilkinson might have made: in his opinion, however, there was a physical certainty that this gentleman must have realized very considerable gains, and on that ground he estimated his loss. Now it would be right to enquire what benefit the Company themselves derived from the resumption of this monopoly? He must repeat, that this point ought not to be lost sight of; no honest body of men would leave that part of the argument unnoticed. By doing away the monopoly, Mr. Wilkinson was induced to embark in this trade, and he trebled the number of saltpetre manufacturers; the consequence was, that 143,000 maunds of saltpetre more than the average of former years were manufactured. This the government of India pounced on, and sold at a great profit; and he believed there was not one of those nine gentlemen who protested against Mr. Wilkinson's receiving any remuneration whatever, who would deny that the Company had made more than £100,000 by the sudden resumption of the monopoly; and if they admitted this, it was impossible for them to contend that Mr. Wilkinson had sustained no loss. When he assimilated the case of Mr. Wilkinson to one of those where the legislature, having authorised an injury, took care that the complaining party should be indemnified, he stopped infinitely short of the ground to which he

might have advanced. In those cases where the legislature interfered, the public, and the public alone, received the benefit of the act; but here those who opened the trade, and who immediately afterwards shut it, those who inflicted the injury, they were the persons who also derived the profit. (*Hear, hear!*) All the gains went into their coffers; they exercised the power which they enjoyed as sovereigns, to do an act which filled their pockets as merchants. The profits that might have been derived from the sale of those 143,000 maunds of saltpetre were taken from Mr. Wilkinson; therefore the hon. mover of the amendment was perfectly correct, when he said, "Let this court, let the public know, that Mr. Wilkinson is not putting his hand into the pocket of the Company, but is asking for a participation in profits which really belonged to him, but which the Company have put into their coffers." He did not want the admission of any hon. director as to this loss of profit, because it was admitted by those who had the best opportunity of judging of the whole of the case: it was admitted by the government of India. Mr. Seton placed it in the strongest point of view; he did not scruple to say that the measure was adopted to put money in the pockets of the Company, and even the board of trade itself could not get out of this difficulty; they admitted that profit was made, and they could not deny that it went elsewhere, that Mr. Wilkinson received no portion of it. The committee of warehouses, who seemed to act on the report of the board of trade, awarded 75,000 rupees to Mr. Wilkinson, not because they were satisfied, as they ought to have been, of the justice of such a grant, but because that was the sum agreed to by the board of trade in India. He wished to know whether the report and award of that board ought to be decisive? Were there no circumstances which threw a shade of doubt over the correctness of their adjudication? The governor-general in council, with this very minute of the board of trade in his hand, did think that some farther proceedings were necessary. That minute was now looked up to as a sort of guide by which their course was to be directed on this occasion, but no man could read that document with attention without perceiving that it was a very elaborate, a very verbose way of screening a fault for which they were liable to be reprimanded. The governor-general, not convinced by the reasoning of this minute, appointed a committee to investigate the subject farther: that committee consisted of two civil servants, two merchants, and one of the Company's legal officers. Mr. Wilkinson knew nothing of this transaction, he merely learned, by the common rumour

of the day, that such a committee was appointed; and if gentlemen would read the instructions given to the body nominated to try the merits of the case, they might well suppose that Mr. Wilkinson had a right to complain that they were to come to a conclusion on a statement wholly *ex parte*. If ever there was an instruction drawn up calculated to lead to a conclusion adverse to one party and favourable to another, it was the letter of instruction directed to that committee; yet the gentlemen who composed it, without any knowledge of Mr. Wilkinson, without any interest in the success of his claim, having attentively reviewed every part of his case, appended three schedules of remuneration to their report; the last and lowest of which awarded to him the sum of 2,88,800 rupees. The question was afterwards submitted to the Bengal council, one of the members of which body, (he alluded to the hon. Archibald Seton, a most enlightened and honorable gentleman), in his minute on the subject, expressed himself most decidedly in favour of granting a liberal compensation to Mr. Wilkinson. He (Mr. Seton) objected to the adoption of the opinion laid down by the committee to whom the subject had been referred; he thought that Mr. Wilkinson ought to be remunerated for all that loss of profit which he had shewn, and the government had admitted; he suffered by an act of state, while that act of state remained in force. He was for laying aside the penalties, and giving to Mr. Wilkinson a grant to the amount of the loss he had sustained by two years of a rigorous monopoly; "his remission," continued Mr. Seton, "from the operation of that monopoly being rendered useless by the remissness of the government; for whether it was occasioned by the governor-general, by the board of trade, or by any other agents of the executive authority, it was still the act of government, and government ought to repair the wrong done by its servants." He (Mr. Jackson) had never proposed the grant of a sum of money, and he never would, where the papers before him did not point out the amount of remuneration which ought to be voted. This point formed the difficulty of the question here; and they were to consider whether they had not *data* on which they ought to proceed? It was admitted that Mr. Wilkinson was deprived of his profits during the existence for two years of a rigorous monopoly under an act of state; and it was argued that he ought to receive the amount of the losses he sustained in those two years, a principle which he considered just. He must say, that he would have been much better pleased if a different course of proceeding had been adopted for the settlement of this claim. On a former day, he threw out a sug-

gestion that the claim might be referred with great propriety; such a proceeding would be pleasing to all parties, inasmuch as all the authorities to whom the case had been submitted agreed that compensation ought to be allowed, but differed as to the amount; on that account he wished the question to be referred. The court of directors might nominate one gentleman, Mr. Wilkinson a second, and these two parties could appoint a third; by this means they would get rid of the fears which some individuals seemed to entertain, lest the glowing feelings of friendship should influence the decision of this case. Three mercantile men would decide the question on purely mercantile principles, and would not retire from the investigation until they had determined on the remuneration which Mr. Wilkinson ought to receive. It could not be imputed to them that they were led away by their feelings or prejudices to grant more or to award less than the justice of the case demanded. It must be painful to any gentleman in that court to have it even imagined, (wrong as that imagination, he was convinced, must be,) that his knowledge of Mr. Wilkinson or his personal friendship could lead him to trespass beyond the bounds of propriety, in granting to the present claimant more than he would give to another person similarly circumstanced. For his own part, he thought the wiser line would be to refer the question: of course Mr. Wilkinson would be bound by the decision of the referees. In his mind, very good reason existed for granting him remuneration for the profits of two years which he had lost in consequence of the monopoly, whatever the amount of those losses might be estimated at. If more enlightened minds thought that this was the point on which their attention should be fixed in indemnifying Mr. Wilkinson, he would then beg of them to recollect that a considerable part, even of a liberal compensation, had been expended in the charges consequent upon many long and tedious journeys. If they thought, with him, Mr. Wilkinson ought to receive a sum that would cover his expenses as well as his losses. But at all events Mr. Seton did point out a measure, by which their judgment might be guided, when he said that Mr. Wilkinson ought to have a compensation for two years, during which he had been subjected to an absolute loss.

Mr. *Bebb*, having been one of the nine gentlemen who dissented from the resolution of the court of directors, hoped he might be allowed to speak his sentiments on a question of so much difficulty and importance. He wished, in the first instance, to put the court in possession of the ground on which the Company claimed a right to enforce what was

erroneously called, both in this country and in India, a monopoly of saltpetre. The hon. gentleman (Mr. Wilkinson) had, in the course of his speech, alluded to the grant under which the Company claimed the right in question; he would have that document read, which was a complete grant of the saltpetre lands to the Bengal government, dated so far back as the year 1757. [The clerk here read the grant, by Jaffer Aly Khau, of the saltpetre lands of the whole province of Behar to the East-India Company; it directed that proper authorities should be established over all those lands to collect the saltpetre for the Company, and to dispose of it to none but those whom the Company should appoint.] He (Mr. Bebb) drew the attention of the court to this document, because Mr. Wilkinson had challenged the right of the Company. The instrument had been printed a great number of years; it was to be found in the proceedings of the Bengal government; and long as the privilege had been known to exist, it had not, up to the present hour, been challenged or denied. It was a right as firm and substantial as other grants given to the Company at the same time. If it were an illegal transaction, the cession of land about Calcutta, the grant of a space of five hundred yards beyond the ditch, and various other privileges, of the same kind, were illegal also. He contended that the Governor-general did nothing but what he had a right to do. By the grant which had been adverted to, the saltpetre trade in Bengal was given specially to the Company, and it did not come under the denomination of a monopoly. Saltpetre was manufactured in other provinces, and no restriction of this kind was placed on the trade in that article until the year 1793, when the war broke out with France, and then it was found necessary to lay an embargo on it, in order to prevent it from falling into the hands of the enemy. The great ground taken by the hon. proprietor who moved the amendment was contained in a few words made use of by the committee that sat in Bengal: their reason for the award was, "that, as Mr. Wilkinson was legally entitled to enter into contracts, and did, in fact, take advantage of the opportunity which was afforded him to enter into such contracts, without any knowledge or expectation that government would resume the monopoly, the resumption must undoubtedly have subjected him to a considerable loss, namely, the loss of those profits which, in their opinion, if he had been suffered to complete his contracts with individuals, he must have realized; he was therefore (said the committee) entitled to remuneration." Certainly, if individuals had prevented him from proceeding, he would have had a claim on them for compensation, because

theirs would have been an illegal act: but the case was different with respect to the Indian government, they had only done what they had a perfect right to do, when they determined on keeping the saltpetre manufactured in the province of Behar. The policy of the measure was another question. (*Hear, hear!*) He could defend the measure on the ground of policy, but he would lay that part of the question aside at the present moment. Again, the committee went on to argue, that they were satisfied Mr. Wilkinson had, in consequence of regulation 8 of 1812, sustained a heavy loss, and, as it was an act of government, he had a fair claim for compensation: this was the whole amount of the argument. Now he (Mr. Bebb) admitted, that if individuals had interfered with Mr. Wilkinson's speculation, they would have been justly called on to compensate him; but as the act of the government was legal, and ample time was given to Mr. W. to make his arrangements for getting in the whole produce of the season, he had no claim either on their justice or their liberality. Time was given to him for securing the produce of the season 1811-12. The rains usually set in about June, and the saltpetre manufacture was then closed, as that article could not be made in the rains; the season commenced in October or November (sooner or later) when the rainy season was at an end, and the business of manufacturing saltpetre was at an end. The regulation, it should be observed, which prohibited the trade, took place in the month of May, but was not to have effect until the month of October following: therefore, ample time was allowed to enable every individual to realize the produce of the season, and to make the utmost profit of it. Thus much he conceived it necessary to say with respect to the oppressive act, as it was described, which the government had sanctioned. The next question was, had Mr. Wilkinson sustained any actual loss? had he issued money and not received any return for it? He (Mr. Bebb) could not discover any circumstance which favoured the idea that he had not drawn in every shilling that he had sent out. The contrary was no where asserted, and therefore he was warranted in concluding that he had sustained no tangible loss.

Mr. *Wilkinson* interrupted the hon. director. If he were allowed, he would state, in a few words, how that fact stood.

Mr. *Bebb* continued.—What he said was founded on the documents that had been laid before the court. Had Mr. *Wilkinson* suffered any actual loss, no man would be more ready than himself to make the fullest compensation: if he could discover what his loss was, he would repair it with the same conscientious feeling

which now induced him to adopt the unpopular course of declining to grant him anything. He hoped, however, the court would recollect, that when placed in the situation he had the honour to fill, the performance of a great public duty devolved on him, and, in order that he might discharge his trust faithfully, it was necessary that he should guard against being carried away by his feelings. He commiserated the situation of Mr. Wilkinson, because he respected his character and connections, some of whom he had the pleasure to know; but he owed a sense of justice to the Company, which should never be warped or impaired by private feelings of respect for an individual, and he hoped he should always possess strength of mind sufficient to adhere strictly to the course which duty pointed out, however painful it might be to his feelings. His decision might be erroneous, but he acted according to the dictates of his judgment. When Mr. Wilkinson first made his complaint, the Indian government allowed him to go on with his contracts, stipulating that he should not exceed the quantity of saltpetre for which he had at the time contracted, and farther, that he should not deal with those persons who were indebted to the Company. The resident at Patna was ordered to furnish him with a list of the *nooneahs* in arrear; but though the place where the resident lived was as well known as the India-house in London, Mr. Wilkinson never sent to him for that list, he never even wrote to the resident, directing him, as he might have done, to transmit the list to him by post, at such or such a place: nothing of that kind appeared to have been done by him. Surely, if he had been anxious to avail himself of the power granted, he would, in the course of 1813, have written to the board of trade for the necessary documents. His backwardness, on this point, was said to have arisen from delicacy: it might be so; but if it were it was exceedingly ill-placed, since no man could be expected to sacrifice solid interest for a mere matter of delicacy. It appeared, however, that Mr. Wilkinson got his agent to go repeatedly to the board of trade, but what happened when he made those verbal applications was not stated; that circumstance, however, removed the idea that he refrained from pressing his request on account of delicacy. If Mr. Wilkinson had written to the board, calling on them to state what the amount or nature of the security was, they would have been under the necessity of giving him an answer; they could not have avoided it, and, no doubt, would have at once complied with his request. But Mr. Wilkinson lay quiet until the month of Jan. 1814, until the season for manufac-

turing saltpetre was too far spent to make advances to the *nooneah*, and then he thought proper to make his representation. Soon after the act of parliament, which passed in 1813, arrived, and put an end to the question altogether; any person might then have availed himself of the power to manufacture saltpetre, just as the Company did. He looked upon the present to be entirely a question of justice; (*Hear, hear!*) and he hoped justice would be administered to every individual. (*Hear, hear!*) A person named Dhoolum Doss appeared from the paper to have been intimately connected with this transaction, for with him the contracts had been entered into: he was a native of India; but he (Mr. Bebb) held, notwithstanding that circumstance, that he had as strong a claim to have justice administered to him as any other person. He must have expected to realize a profit from these contracts, since the penalty for non-performance was 20,000 rupees a year, making, for four years, 80,000 rupees, or, in English money, £10,000. But he was a poor, obscure, humble individual; he could not write to the board of trade, no one cared about him, he had no friend, no advocate, and was left entirely out of the question. He (Mr. Bebb) was however of opinion, that he was as much entitled to justice as Mr. Wilkinson. With respect to the question, if considered on the ground of liberality, he agreed perfectly with the hon. director (Mr. Grant) that they could not proceed too cautiously in establishing a precedent; but, as a question of justice, he would act on the maxim, "*Fiat justitia ruat cælum*;" be the consequences what they might, he never would shrink from doing justice. But looking to it as a question of liberality, if they acceded to Mr. Wilkinson's claim it would perhaps be the means of bringing on the Company a number of similar cases, which it would be impossible for them to satisfy. The fear of possible consequences was one great motive which induced him to sign the dissent: he and his hon. colleagues had stated their reasons for acting as they had done, and they must stand exonerated from any consequences that might hereafter be produced, by acceding to the grant then before the court.

Mr. Wilkinson said, at that late hour of the evening, he did not mean to trespass long on the indulgence of the court, which had already heard his case discussed at such great length and with so much patience. After what had just been said, however, he deemed it necessary to request the attention of the proprietors for a few minutes. He would not say one word for himself, in opposition to the hon. director's opinion, but, with the permission of the court, he



would direct their attention to the sentiments expressed by the Marquis of Hastings, and of the council, who, with all deference to the hon. director, were as good judges of what passed immediately under their own observation, as he could possibly be, at a distance of 13,000 miles from the place where the transactions occurred, however penetrating his judgment and however acute his understanding. Mr. Seton emphatically said, "so sensible was government of the hardship of Mr. Wilkinson's case, that they came to the just and liberal resolution to permit him to proceed with his engagements; and if he could have made that permission available he would not now be in the situation of asking relief. The circumstances that prevented him were beyond his control, he was not the victim of his own neglect." In the whole of the protest which the hon. director had adverted to, there was but one tangible point: it was there stated, that on the 4th of January he (Mr. Wilkinson) had remonstrated against security; now, if the letter to which that remark referred contained anything like a remonstrance, he was content to give up all claim on the Company. Neither in letter nor in spirit did it justify the statement that he remonstrated against finding security. So much for the accuracy with which those documents had been investigated.

Mr. *Bebb* said, with every respect for the Governor-general of India, he could not forget that the executive body appointed by the Company stood in a higher capacity, and were clothed with a higher authority; however elevated the station of those individuals in India might be, it was for them to pass their judgment on the conduct they pursued, while acting as the servants of the Company. If he differed from them in opinion, as to any particular measure, he was bound, by virtue of the oath he had taken as a director, to state what his views were, and to give that advice which appeared to him most conducive to the interests of the Company. The lofty situation filled by any man in India should never, while he had a seat in that court, prevent him from speaking his mind and discharging his duty.

Mr. *Forbes* said, his only object in bringing forward his amendment was, to obtain a due measure of justice for Mr. Wilkinson; and if he rated that measure higher than many gentlemen in that court, (whose opinions he bowed to, because he respected their integrity), he hoped his conduct would not be attributed to any feeling of a personal nature. He felt, however, some individuals might encourage a contrary idea, that his conduct on this occasion was wholly independent of private motive or personal con-

sideration. The hon. director (Mr. Patison) having thought proper to throw out certain insinuations, and to make certain allusions, which tended directly to accuse those who supported Mr. Wilkinson's claim of partiality and favour, he hoped the court would not refuse him the opportunity of repelling the charge. The hon. director had spoken of affection, of contiguity, of persons coming in contact, expressions which he perfectly understood; but when the hon. director claimed for himself the free and unbiassed exercise of his opinion, uninfluenced by any sinister or sordid motive, why should he not allow the same freedom of opinion to others; why should he suppose that they were influenced by private partiality, instead of being guided by the rigid dictates of calm judgment?—(*Hear, hear!*) He most distinctly disclaimed, he most decidedly disavowed any participation in such feeling as the hon. director had hinted at, in creating the support which he and some of his friends gave to Mr. Wilkinson's claim. That gentleman was known to him but a very few weeks: he was introduced to him, on his arrival in this country, by a gentleman who requested that he would look into his case and give an opinion on it. He required no more, and he complied with the request. On examining the documents, the strength of the case struck his mind most forcibly; he felt that Mr. Wilkinson had suffered great injustice, and, in proportion as his case was hard, he conceived that he had a more powerful claim on the justice of every proprietor of East-India stock to see that his wrongs were fully redressed. He (Mr. *Forbes*), impressed with this feeling, declared he would do every thing in his power to assist him in the furtherance of his object. But, with regard to canvassing, or acting in an undue or underhand manner, in order to obtain support in the progress of this question, he was above such acts, and he distinctly disavowed them; he never requested any proprietor to do more than he had been asked to do himself, that was, to read the papers, and give an honest opinion on the case which they disclosed.—(*Hear, hear!*) As the hon. director had been pleased to throw out some insinuations, and to indulge in a sneer against "oriental" ideas, he might perhaps be suffered briefly to advert to the circumstance. He did not know whether the hon. director had the happiness, as he (Mr. *Forbes*) had, of residing for some years in India; he was proud to say, that he had passed many years there, years which he looked back to with mingled feelings of pleasure and regret.—(*Hear, hear!*) He had spent in that country the best, perhaps the happiest part of his life; and he

would be doing an injustice to his feelings, if, when he heard "oriental calculations," and "oriental embellishments," unnecessarily introduced, introduced for the purpose of creating a prejudice, he did not rise and express his regret and astonishment that such expressions should have been made use of.—(*Hear, hear!*) He had stood forward, in justice to his friend Mr. Wilkinson, for so he was proud to call him, to move this amendment; and he did think the hon. director, to say the least of it, was not very happy in the manner in which he found fault with it, particularly when he alluded to the appearance of Mr. Wilkinson in the court.—(*Hear, hear!*) He conceived that it was not improper or irregular for Mr. Wilkinson, a proprietor of East-India stock, and having a claim, not on the liberality of the Company, but on their justice, to appear in that place. Was it a new thing for a man to be a suitor in his own cause? certainly not. But what was Mr. Wilkinson's situation? His part had ceased the moment the case came before the court: judgment had previously been passed on it elsewhere, and he had a right, without any impeachment of his delicacy, to be present at the ulterior proceeding. It could not be conceived that Mr. Wilkinson would stay there to hold up his hand, or to mark those who voted one way or the other; that would be indelicate, but there was nothing blameworthy in his being present on this occasion, ready to give explanation on every point that might require it. By the regulations of the House of Commons, in which he had the honour to hold a seat, a member was permitted to rise and speak in defence of himself, or in support of of any question, in the result of which he might be interested: it was allowed in that assembly, and could not, therefore, with propriety be objected to in that court; of course, when the question was about to be decided, the individual interested was bound to retire. Having disposed of these topics, he should proceed to state the principal reason which induced him to rise. Observing it to be the general feeling of the court, that the sum inserted in the amendment he had proposed went beyond the remuneration that ought to be given, he was most anxious to meet the sentiments of those who entertained that opinion. He bowed with respectful deference to those whose abilities and judgment were better than his own, and he would with pleasure adopt the suggestion thrown out by the learned gentleman (Mr. Strettell), and by an hon. proprietor (Mr. Gahagan) who was not then in his place, as it appeared more likely to meet the general wish of the court. He would, with the permission of the court, instead of

the sum of 2,88,800 rupees, insert 1,80,000.

Mr. Pattison rose to explain. Nothing, he could assure the hon. proprietor, could be farther from his intention, than to attribute to him, directly or indirectly, any undue motive in taking the course he had done; his character was too high and too well-established to leave the least ground for imputing to him any motive that was inconsistent with integrity. If he (Mr. Pattison) were to make such an attempt (which it was impossible he could think of doing), he should only cover himself with disgrace, while he added to the honour and character of the individual attacked. He had only used the word "oriental" with reference to the magnificence of the grant, which he thought indicated oriental ideas; he had, in that point of view, introduced the word, and had not the least intention to cast a reflection on any person when he made use of it.

Mr. Forbes (having obtained leave to withdraw his amendment) proposed,

That all the words of the original resolution, after the word '*That*,' be omitted, and that the following be substituted:

"It is the opinion of this court, that the sum of 1,80,000 sicca rupees be paid to Mr. James Wilkinson, at the exchange of 2s. 6d. per sicca rupee, with interest at the rate of 6 per cent. per ann., upon the principle adopted by the committee specially appointed by the Bengal government to consider of Mr. Wilkinson's case."

Mr. Forbes said, as it appeared to be the general wish to substitute *six* for *eight* per cent. interest, he had made that alteration.

Sir C. Cockerell rose to second the amendment. Having hitherto abstained from addressing the court, but having also specially reserved to himself the right of stating his sentiments if he felt himself called on to do so, he now felt it necessary to avail himself of his right, and to urge a few observations in vindication of his conduct. He had never before interfered with resolutions of this description which originated within the bar, as he was always anxious to give support to the executive body, whenever he conscientiously could; but he claimed the right of a proprietor to decide for himself, and he could not but think that Mr. Wilkinson's demand was founded in justice and equity; no other principle ought to be suffered to affect their adjudication, and Mr. Wilkinson had a right to expect that those sacred principles would be strictly adhered to. Having read the paper with the utmost possible attention, having examined the minute of the board of trade, and every other minute that was referred to, he was so well convinced

of the justice of the claim, that he felt he could not do otherwise than second the amendment. Another observation he was bound to make, and he would have been very happy if he could have avoided touching on the subject. The hon. director (Mr. Pattison), he observed, looked directly towards himself and his hon. friend, the mover and seconder of the amendment, when he spoke of a bias in the minds of gentlemen, of partiality towards the individual whose case they were called on to decide, and of oriental embellishment: he begged leave to say, that he had no connection with Mr. Wilkinson, that he had no knowledge of him until his arrival in this country; he was then requested to look over his case, and when he read it, he found it so strong that he at once determined to support him. He regretted that any hon. director should so far forget the situation in which he stood, as to insinuate such a charge. It did not follow, because the minds of individuals differed on a particular subject, that therefore one party acted from justifiable and the other from improper motives. As to the play upon the word "*oriental*," he would only observe, that formerly there was great wisdom in the East; and, notwithstanding all the hon. directors had staid, he doubted whether all the wisdom of that court was to be found at the west end of the bar. He had hoped, when the hon. director was explaining, in consequence of what had fallen from his hon. friend (Mr. Forbes), that he would have saved him the painful task of making any farther allusion to the subject; he thought the hon. director knew him long enough to be convinced that no consideration which was not founded in justice could induce him to give a vote, even in favour of his own brother.

Mr. Pattison begged leave to repeat what he had said to the hon. mover of the amendment. The explanation he then gave came from him freely, it was due to the way in which the hon. mover had mentioned the subject; and if the hon. bart. had addressed him with equal courtesy he would have been equally ready to have made the same declaration to him; but, as the hon. bart. had thought proper to speak angrily, he did not feel himself prepared to explain. He (Mr. Pattison) in what he had said, expressed himself as it was his duty to do. He applied no observations to any individual. His observations had reference, generally, to the measure then before the court, and from the position he originally took he would not budge one jot or iota. He conceived it to be his duty, as a director, as a humble servant of the East-India Company, "to do his *best*" in a fair and honourable way. If the hon. bart.

had addressed himself to him (Mr. Pattison) with less asperity, he should have given an answer more courteous; but he begged to state, generally, that he directed his observations to no particular persons.

Sir C. Cockerell said, after the manner in which he had originally seconded the motion, he felt surprised that anything bordering on an insinuation, as to the motives by which he or his hon. friend was influenced, could have been addressed to the court: he therefore spoke warmly, which could not be wondered at, but that he spoke angrily he denied. When the hon. director made certain unpleasant observations, looking towards him and his hon. friend, and apparently addressing himself to them, as if they were guided by partiality in supporting Mr. Wilkinson's claim, he thought he had a right to ask him to do that which he had done with reference to his hon. friend, namely, disclaim the intention of offering a personal reflection.

Mr. Pattison said, that the precise words of schedule B, to which the amendment referred, ought to be introduced.

Mr. Forbes observed, that they were very easily found on the minutes of the committee.

Mr. Pattison said, he had to complain of the way in which this motion was put; it was not brought before them in a plain and distinct manner. He wished to know whether the court clearly understood that interest was to be given from the year 1813 under the terms of the amendment? If he was told that it did not, he would stand corrected; but if he were right, the words of the motion ought to be altered so as to state the fact distinctly. The proposition went to give a great deal more than appeared on the face of it, and embraced a more remote period than the proprietors were aware of.

Mr. Robinson said, the mode now proposed was most intelligible. This sum of 2,88,800 rupees, originally proposed, included interest on two several sums of 70,000 and 10,000 rupees, from the 30th April 1813 to the 30th April 1817, which was now avoided; and therefore he conceived that the present was a more simple and intelligible mode of arriving at the object of the hon. proprietors, because it referred to that principle which was the ground-work of his original proposition.

Mr. Pattison said, he was still dissatisfied; he wished to know specifically what the court were really going to vote?

Mr. Robinson said, that, by the motion originally proposed, a grant would have been given to Mr. Wilkinson to the amount of 2,88,800 rupees, with interest from April 1817 to the time of payment, which would in fact be allowing him inte-

rest on interest. The present mode did not proceed on that erroneous principle; and was therefore not only a more simple but a more saving course for the Company. He begged, when he said this, that he might not be understood as contending for the amendment; what he stated was merely an explanation.

Mr. *Pattison* wished very much that the grant should be distinctly defined, that they might not have to discuss the matter over again. If they acted on the report of the committee, which was only partially adopted, it would be very difficult to know from what time interest was to be calculated. If it were proposed to give 1,80,000 rupees from a definite day, every person would understand it; they who ran might read.

Mr. *Forbes* said, that the explanation of the hon. director was most clear; by giving Mr. *Wilkinson* 1,80,000 rupees they granted to him only one sum bearing interest, instead of two that were mentioned in schedule B.

Mr. *Robinson* said, if they adopted the amendment of the hon. proprietor, they in fact gave the sum proposed by the committee, striking out penalties to the amount of 60,000 rupees.

Mr. *Elphinstone* submitted to the court whether it was not better to state a specific fixed sum, instead of going about the matter in this way. His reasons for opposing the grant were to be found in the dissent which he had signed. Every gentleman in that court must know that this was a gratuitous case, and was so recommended by the committee of warehouses and the court of directors; now, to give interest on a gratuity was what he never before had heard of. Let a specific sum be mentioned, and every person would understand it.

Mr. *Forbes* said, that in proposing interest he adopted the principle which the directors themselves had laid down, who in their resolution included interest from a certain time: in order, however, to simplify the question, he would propose that the sum of 1,80,000 rupees should be paid, with interest from the 30th of April 1814.

An hon. proprietor suggested, whether it would not be much better, at that late hour of the day, to adjourn the debate to a more convenient period.

Mr. *Robinson* hoped the court would not separate without coming to some decision. If this were to be a final proceeding he would deprecate deciding at the present moment; but as the question would be ultimately sent to a ballot, they had better proceed, and by their vote of that day settle what the proposition should be on which the ballot was to be taken.

Mr. *Twining* said, it appeared that the resolution referred to schedule B, which

was founded on three paragraphs of the report, and he did not think that it was in the power of the court, at that moment, to see whether the motion in every respect tallied with those paragraphs. It might or it might not: that point, however, ought to be settled, to prevent the motion from involving contradictory and difficulties. It would be better to refer distinctly to those three paragraphs, which at the present moment they had no opportunity of examining; such a clear reference would enable them to determine whether the motion was or was not in unison with the principle there laid down.

Mr. *Forbes* said, that so many ideas were thrown out from different parts of the court, that it was impossible for him to frame the amendment so as to meet the wishes of all parties. He was willing that the amendment should be for a sum of 1,80,000 rupees, to be paid with interest calculated from the date of the report.

The *Chairman* then put the question "That the original words (that is the resolution of the court of directors granting 75,000 rupees) stand part of the question." On this the court divided, when there appeared

For the original motion . . . . 32

Against it . . . . . 32

The original motion being lost,\* the amendment proposed by Mr. *Forbes* became the main question.

On this the court divided; but there being some doubt on the minds of the tellers (Mr. *Forbes* and Mr. *Hume*) in reporting on the numbers the first time, the *Chairman*, at the request of a number of proprietors, put the question over again, directing those for the larger sum to go to the left, those for the smaller to the right. On counting, the numbers appeared

For the amended motion . . . 32

Against it . . . . . 33

The *Chairman* then stated that both questions were lost.

Mr. *Hume* said that the court had been completely taken by surprise, in consequence of the manner in which the motion was put. Many gentlemen, he was confident, imagined, when they went to the right, that they were voting for the smaller sum: it was his intention to have supported the grant of 75,000 rupees.

Mr. *Pattison* said that there was no taking by surprise in the case. The *Chairman* had taken the regular course; the two questions were lost, and there was no motion then before them.

\* By the act of the 53d of the king, it is provided, "that, in cases of equality of votes, in general courts, or courts of directors, the questions are not to be decided by lot (as was enacted by the 10th of William III.), but to be considered as rejected, except in cases of two or more candidates for office, which are still to be determined by lot."

Mr. Hume said, he understood the question was whether the larger or the smaller sum should be given, the chairman having directed those who were for the larger to go to the left, and those who were for the smaller to go the right.

Mr. Pattison said, gentlemen had had it in their power to vote for either as they pleased: they had laboured to make the amendment a substantive motion before the court; they succeeded, but the majority finally prevailed in rejecting the proposition.

Mr. Robinson said, the course was perfectly correct; the question, that the original words stand part of the question, was put and carried in the negative; the amendment of the worthy proprietor then became the main question, and it also was negatived. The proceeding was recorded by the secretary, and no motion whatever now remained on their minutes.

Mr. Forbes said, he had been deceived in the proceedings. Those for the larger sum were told to go to the left, those for the smaller to the right; from this he supposed that either the one or the other would have been agreed to.

Mr. Pattison wondered how any person could misunderstand the question before the court. The original motion having been lost, there was but one other question for them to decide on; those who were in favour of it, that was, in favour of the larger sum, were directed to go to the left; those who were against it, that was, in favour of the smaller sum, were told to proceed to the right.

Mr. Hume understood the question was whether the resolution of the court of directors, granting 75,000 rupees, or the amendment of his hon. friend, awarding 1,80,000 rupees, should be agreed to; and that, on the question carried, a ballot should ultimately take place.

Mr. Elphinstone said, that they could proceed no farther: they must be bound by the decision which had taken place, an opinion which their lawyer corroborated.

Mr. Hume protested against being bound by what their lawyer might have said: on matters where plain common sense ought to form the standard of their decision they could judge quite as well as lawyers. He repeated, that the question was understood to be whether a grant of 75,000 or 1,80,000 rupees should be voted; he and other gentlemen could not have so far stultified themselves as to make so gross a mistake as that which was imputed to them.

Mr. Robinson said, that gentlemen, he believed, had been misled on this occasion. They ought to come to a right understanding on the subject (for no one could wish any advantage to be taken of a casual error,) and the proper course would

be to take the opinion of their solicitor on the question.

Mr. Hume said, that the larger sum having been lost, the question was whether the resolution of the court of directors should go to a ballot or not.

Mr. Robinson observed, that both questions had been lost; there was, in fact, no proposition to ballot on.

Mr. Grant said, according to the idea of the hon. proprietor (Mr. Hume), the court were bound to agree to one of these two propositions; they were tied up to give one sum or the other; but it was quite impossible to make a proposition in the alternative. There was no promise implied, that if one sum were refused the other should be granted. It might happen, and such was the determination, that the court would not agree to either. Farther proceeding was at an end, since both the original motion and the amendment were negatived.

Mr. Robinson saw that the question had been misunderstood, and the best course would be to consider how they could get out of the awkward scrape into which they had unluckily fallen.

Sir Robert Wigram believed they had a right to alter their minutes on the moment, but if they once adjourned the court they were debarred from doing so; they were placed in that predicament, that neither the original motion nor the amendment remained before the court. It was probable that gentlemen had mistaken the question when it was last put from the chair, and the best way, therefore, would be to erase the minute of their proceedings, and put both questions over again: if not, they would have another day's discussion.

Mr. Howarth said, several persons had left the court, believing that the question should be decided by ballot; therefore he thought it would be better to begin *de novo*.

Sir Charles Cockerell said, that a numerous body of proprietors had gone away with the express understanding that one of the sums proposed would be agreed to, and that a ballot would be required for its ultimate decision. Supposing even that they had committed some irregularity, it would be nothing more than just that some means should be suggested by which a ballot could be obtained without the necessity of calling another court.

Mr. Elphinstone wished the hon. baronet to state the question on which they were to proceed to a ballot.

Sir C. Cockerell suggested that a ballot might be proposed, to decide whether Mr. Wilkinson should receive 75,000 rupees, or any other sum which might be deemed more expedient.

Mr. Grant said, they could not ballot in the alternative for one sum or another.

The Company's solicitor being called on for his opinion, said, he thought, in consequence of the form in which the question had been put and carried, that some of the proprietors had mistaken the proposition. The proceeding probably appeared on the minutes now in a different shape from that which the majority apprehended: the question was under these circumstances whether it would be advisable to cancel what had passed by general consent, and submit the propositions again to the proprietors, in order to arrive at a knowledge of their real opinion. If, however, new members came into the court, it would not be competent for them to vote on this occasion: in that case there was no means of proceeding but beginning *de novo*. Perhaps the easier course would be to cancel what had passed, and on putting the question over again, to explain fully the effect which

a vote for or against would necessarily have.

It was not deemed advisable to pursue the course suggested by the law officer, and the court adjourned.

\* \* From the great length of the above debate, and the limits of our journal, we are under the necessity of postponing the report of the debate at the East-India House on the 5th May, respecting the proposed grant to the Marquis of Hastings, till our next number. The question, however, as to Mr. Wilkinson's claim on the Company having excited general interest, and the day of ballot being so near at hand, we are induced to insert in the latter part of our present number a report of the debate on that subject on the 19th, though out of order, that our readers may be possessed, as far as in our power, of the entire merits of the case.

## IMPERIAL PARLIAMENT.

### HOUSE OF LORDS.

*April 26.—Miscellaneous.*—An account of the cotton piece goods and muslins imported and sold at the East-India House, for a series of years to the present time, distinguishing each year, was, on the motion of the Earl of Lauderdale, ordered to be printed.

*April 29.*—The Excise Duties Bill and East India Goods' Customs Bill, were read a third time and passed.

*May 19.*—The royal assent was given by commission to the East-India Goods' Bill.

### HOUSE OF COMMONS.

*May.*—*Papers relative to Ceylon.*—Sir W. De Crespigny, after some preliminary observations, observed that it was well known the King of Candy had exercised the greatest cruelty. The people made application to us, and we took possession of Candy. A meeting took place between the commander of our troops and the chiefs of the people, and a treaty was entered into. Our men were to keep offices in the country; but persons from the coast of Coromandel, who were abhorred by the Candians, were put into these offices. The natives were obliged to attend travellers, to carry flambeaux before them, and to carry their palanquins as horses. This was no idle tale carelessly picked up in the street. The blow was now struck, the people were disgusted, and the war was actually raging. He lamented the expense which was thus occasioned to this country. He wished to ask a question of the rt. hon. gent. opposite, respecting a minister of state who had been beheaded. — (*A laugh.*)—He wanted to know by what

means he had been beheaded, whether by a court martial or by a court of justice. We were bound by every principle of law and justice to protect those who had confided in us. It was the duty of the hon. gent. to introduce inquiry, and if the statement he had made was true, to apply a suitable remedy. He concluded by moving for a copy of Gen. Brownrigg's proclamation, dated at Columbo, 12th Jan. 1815, and for a copy of a treaty concluded between Gen. Brownrigg, on the part of his Majesty, and the Candian chiefs, at Candy, in Feb. 1815.

Mr. Goulburn was quite willing to lay the papers before the house. Had the hon. gent. seen those papers he would not have made the speech he had now made. With respect to the minister of state for whom the hon. gent. felt so anxious, he had the pleasure of stating, that at the date of the last accounts he was in good health. — (*A laugh.*)—The mistake appeared to have arisen from another person having taken the surname of Ehelapolla; but it was not the same Ehelapolla who had been friendly to us when the war commenced.

Sir W. De Crespigny explained.

Mr. C. Forbes was sorry that the question was not treated with seriousness suited to the subject. It was true, Ceylon was not much to that house; but since a war existed there, it was worth while to inquire how it was conducted. The expenses of that war would be found, when laid before the house, to be enormous; but the expense of lives was still greater. From the information of one of the officers, he could state that nearly 400 men had been lost in one regiment.

The motion was agreed to.

## MADRAS COLLEGE.

## RESULT OF THE FIRST GENERAL EXAMINATION FOR THE YEAR 1818.

To the Rt. Hon. Hugh Elliott, Governor in Council.

Rt.hon. Sir:—We have the honor to lay before you the following classification of the junior civil servants under our superintendence, as the result of the first general examination for the year 1818, held by us at the college.

## TELOOGOO.

|                         |              | When attached to College. |
|-------------------------|--------------|---------------------------|
| 1st Class. Mr. P. Grant | 13 Aug. 1817 |                           |
| Parry                   | 16 July 1816 |                           |
| Stonehouse              | do. do. do.  |                           |
| Paternoster             | 9 Aug. 1815  |                           |
| Robt. Clive             | 24 July 1816 |                           |
| Cotton                  | 2 Aug. 1815  |                           |
| W. Anderson             | 19 July do.  |                           |
| Clerk                   | 7 Aug. 1816  |                           |
| 2d Class. Mr. Nelson    | 24 July 1816 |                           |
| Ashton                  | 7 Aug. 1816  |                           |
| Fullarton               | 25 Feb. 1818 |                           |
| Bruce                   | 15 Apr. 1818 |                           |
| Angelo                  | 2 Aug. 1815  |                           |
| 3d Class. Mr. Brown     | 13 Aug. 1817 |                           |
| Clulow                  | 7 Aug. 1816  |                           |
| Orr                     | 2 do. 1815   |                           |
| R. Grant                | 22 July 1817 |                           |
| Willock                 | 9 July do.   |                           |
| Horsley                 | 15 Aug. 1818 |                           |
| Davison                 | 22 July 1817 |                           |

## TAMIL.

|                             |              |
|-----------------------------|--------------|
| 1st Class. Mr. E. Bannerman | 9 July 1816  |
| W. Anderson                 | 19 July 1815 |
| Cotton                      | 2 Aug. 1815  |
| Munro                       | 9 July 1817  |
| Wheatley                    | 16 Aug. 1817 |
| 2d Class. Mr. P. Grant      | 13 Aug. 1817 |
| Hudleston                   | 10 July do.  |
| Blackburne                  | 6 Sept. 1815 |
| Nelson                      | 24 July 1816 |
| Ashton                      | 7 Aug. 1816  |
| Angelo                      | 2 do. 1815   |
| Davis                       | 6 Sept. do.  |
| 3d Class. Mr. Parry         | 16 July 1816 |
| Elliott                     | 13 Aug. 1817 |
| Paternoster                 | 9 do. 1815   |
| Gordon                      | 25 Feb. 1818 |
| Bushby                      | 9 July 1817  |
| Clulow                      | 7 Aug. 1816  |
| Clementson                  | 22 July 1817 |

## HINDOOSTANEE.

Mr. Robert Clive..... 24 July 1816

## PERSIAN.

Mr. E. Bannerman ..... 9 July 1816

## MAHARATTA.

Mr. Stonehouse..... 16 July 1816  
 Blackburne..... 6 Sept. 1815  
 Elliot..... 16 Aug. 1817  
 Davis..... 6 Sept. 1815

## SANSKRIT.

Mr. Munro..... 9 July 1817  
 Wheatley..... 16 Aug. 1817

## ABSENT.

Mr. Hoeper ..... 9 July 1817  
 Lascelles..... 2 Aug. 1815  
 Thompson..... 13 May 1818  
 Robertson ..... 9 July 1817

Mr. E. Bannerman, whose name stands at the head of the Tamil class, is highly proficient both in that and in the Persian language; he possesses an excellent knowledge of the grammar of each, and speaks both languages with fluency, a great command of words, and peculiar propriety of expression and pronunciation; his written exercises, both in Persian, and Tamil, are idiomatic and of the first order, and his general attainments entitle him to the highest rewards of the college.

Mr. Robert Clive, in Hindoostanee, is fully equal to Mr. Bannerman in Persian. His translations are spirited and correct, and in conversation he expressed himself with facility and propriety on a variety of subjects. Mr. Clive's knowledge of Teloo-goo is also extensive, and perfectly sufficient to enable him to transact public business, without any assistance; and we are of opinion that, on the whole, this gentleman is little, if at all, inferior to Mr. Bannerman.

Accordingly, in recommending that these two gentlemen may be employed in the public service, we beg leave to submit to the right hon. the Governor in Council, that each of them has fully made good his claim to the honorary reward of 1000 *Seer* Pagodas.

The steady application to study evinced by Mr. Patrick Grant has been followed by results the most honourable to his talents and assiduity. Within the short period of ten months this gentleman has placed himself above all the other Teloo-goo students, and in Tamil has also raised himself to the head of the second class. His knowledge of Teloo-goo is already such as has been rarely attained at the college; but, as we think it requisite that he should prosecute further his Tamil studies, in which he has made rapid, and for the time of study an uncommonly satisfactory progress, we cannot yet recommend that he should be promoted from the college.

In the mean time, we submit that he has more than established his claim to the highest of the increased allowances; and merits the marked approbation of the government.

Mr. W. Anderson and Mr. Cotton in Tamil, and Mr. Paternoster in Teloo-goo,

have made the most satisfactory progress since the last examination. The two former gentlemen stand high in Teloo-goo also. Mr. Anderson has fully established his claim to the highest allowance of pagodas 100 per mensem, and Mr. Paternoster is sufficiently advanced in Tamil to merit the same reward. These three gentlemen, who have completed three years residence at the college, are, from their knowledge of two languages, competent to the transaction of business in each of them, as well as to employment in the public service; and, on quitting the institution under our charge, we consider each of them entitled to our testimony in his favour.

Mr. Parry and Mr. Stonehouse possess a very excellent knowledge of the Teloo-goo language. The latter also continues to advance considerably in the acquirement of the Mahratta, and Mr. Parry, by his progress in Tamil, has made good his claim to the highest allowance of pagodas 100 per mensem. The Board, however, are of opinion, that these gentlemen have not yet acquired such a knowledge of a second language as is desirable, and not having yet completed three years residence at the institution, it seems expedient that they should continue attached to it for another term.

Mr. Munro and Mr. Wheatley, both in Tamil and in Sanscrit, continue to merit the approbation by which they have been so honourably distinguished, ever since they joined the college. We have every reason to believe that at an early period they will perfect their knowledge of the Tamil, and attain such a proficiency in Sanscrit also, as will enable them to read the law books of the Hindoos in the language in which they were originally written. The exercises required of these gentlemen in Sanscrit consisted of translations from the language, parsing, reading, and construing off hand, and they were performed by both in a manner so highly creditable to them, as to entitle each to the special notice and approbation of the right hon. the Governor in Council.

Mr. Clerk in Teloo-goo, and Mr. Hudleston in Tamil, passed very satisfactory examinations; and we have no doubt that they will continue to improve their knowledge of these languages.

Mr. Nelson and Mr. Ashton, in Tamil and Teloo-goo, and Mr. Elliot in Tamil and Mahratta, merit favourable notice.

Mr. Blackburne, Mr. Angelo, and Mr. Davis possess a very fair knowledge of Tamil; the first of these gentlemen has also acquired a sufficient knowledge of Mahratta to entitle him to the highest of the increased allowances. But the progress of Mr. Angelo in Teloo-goo, and Mr. Davis in Mahratta, is not considerable.

These three gentlemen, having nearly completed three years residence at the college, we are of opinion that they may be employed in the public service, and have no doubt that they will endeavour to qualify themselves for any situation that the government may be pleased to confer upon them.

We have great satisfaction in recommending to the particular notice of government, Mr. Fullerton, Mr. Bruce, and Mr. Gordon, who have recently joined the institution. Mr. Fullerton and Mr. Bruce in Teloo-goo, and Mr. Gordon in Tamil, have, during the short time they have studied, made the most satisfactory progress; they are already well acquainted with the grammar of these languages, understand easy questions, and with little assistance translate common tales. Mr. Fullerton, in particular, is remarkably well versed in even the most difficult rules of Teloo-goo grammar, and each of these gentlemen has fully established his claim to the increased allowance of 75 pagodas per mensem.

We hope that Mr. Chulow, Mr. Brown, and Mr. R. Grant in Teloo-goo, will at the next examination enable us to report favourably of their progress in study.

Mr. Orr has completed three years residence at the college, and we regret that on quitting the institution he has not enabled us to report favourably of his progress in Teloo-goo. His knowledge of that language is very limited, but the government are aware that domestic occurrences have seriously interrupted his studies.

Mr. Willock is not yet able to translate more than a few words of an easy Teloo-goo tale, and Mr. Horley has only just commenced the study of that language.

We are unable to report any thing favourable of Mr. Bushby, Mr. Chulow, or Mr. Clementson in Tamil, or of Mr. Davison in Teloo-goo, and we therefore abstain from any remark respecting them.

Mr. Lascelles, Mr. Hooper, and Mr. Thompson did not attend the examination. The cause of the absence of the first mentioned gentleman is not officially before us, but we understand that indisposition obliged him to exceed the leave of absence which we had granted to him. He has now been three years attached to the institution, and is therefore entitled to quit the college. Mr. Hooper, who distinguished himself at the last examination, is confined to his house by illness, of which he furnished us with the certificate of a medical officer, and Mr. Thompson was excused by us from examination, as he had commenced the study of Mahratta only a few days before.

Mr. Robertson was absent, on leave, to



proceed to sea for the recovery of his health.

Of the gentlemen who are now about to quit the institution, Mr. Orr, Mr. E. Bannerman, Mr. W. Anderson, Mr. Davis, and Mr. Clive, underwent an examination in the regulations which have been enacted for the internal government of the territories subject to this presidency. Mr. Orr appears to have studied the whole code with considerable attention, and the readiness with which he replied to the several miscellaneous questions proposed to him shews that he is intimately acquainted with the most important provisions of the regulations. Mr. E. Bannerman, Mr. W. Anderson, Mr. Davis, and Mr. Clive, are well-grounded in the regulations of 1816. Mr. E. Bannerman and Mr. Davis also possess a knowledge of many of the provisions of the general regulations, and Mr. Anderson has paid particular attention to the regulations enacted in 1802, for the administration of civil and criminal justice.

Mr. Stonehouse, Mr. Munro, and Mr. Wheatly were also examined as to their proficiency in the judicial regulations, and we have much satisfaction in reporting that Mr. Stonehouse has acquired an accurate and extensive knowledge of the general provisions of the regulations, as well as of the several alterations and modifications which have been made in the code. Mr. Munro has studied only such of the rules of 1802 as relate to the jurisdiction of the courts of Udalut and to the trial of civil suits, with which he appears to be familiar; and Mr. Wheatly has read with attention a limited portion of the code, although, from the want of a copy of the original enactments of 1802, with which he has since been furnished, this gentleman's studies were pursued under considerable disadvantage.

It is with great satisfaction that we are enabled to inform the government that there are no less than twelve of the junior civil servants who are entirely free from debt; and although we have deemed it our duty to notice a few instances of apparent imprudence, there are none that call for the interference of the government.

Peculiar circumstances having, on a former occasion, rendered it our painful duty to recommend to the right hon. the governor in council that three of the gentlemen attached to the institution should be temporarily removed from Madras, we cannot close our present report, the last in which the names of those gentlemen will appear, without expressing the great satisfaction which we have experienced in observing the attention to study since that time evinced by those gentlemen, and

their successful endeavours to establish a character of industry, application, and general good conduct.

On the whole, we are highly satisfied with the result of the late examination. No less than ten gentlemen quit the institution; viz. Mr. E. Bannerman and Mr. Robert Clive with the honorary reward of 1000 pagodas; Mr. W. Anderson, Mr. Cotton, Mr. Paternoster, and Mr. Blackburne, with a good knowledge of two languages and on the highest allowances of the institution; Mr. Angelo and Mr. Davis with a fair knowledge of one language and some acquaintance with a second; and Mr. Orr and Mr. Lascelles, in consequence of the period fixed for study at the college having expired. The instances of eminent qualification are also as numerous as on any former occasion: of rapid progress, we have seldom been able to mention so many; and the general spirit of study which characterizes the junior civil servants, is as honorable to themselves as it cannot fail to prove satisfactory to their superiors.

We have the honor to be, &c.

F. W. ELLIS,  
R. CLARKE,  
College, R. ANDERSON,  
20th June 1818. A. D. CAMPBELL.

*Extract Report of the Board of Superintendence of the Madras College, dated 4th March 1818.*

We cannot conclude this report without noticing particularly the great advantage afforded to many of the junior civil servants, who have latterly joined the institution, in the acquirement of the colloquial languages of the coast, in consequence of our recommendation that the study of the Sanscrit should be pursued at Haileybury by those intended for the civil service of this presidency.

This language, which influences every tongue, from the confines of China to the western limits of Persia, and is radically connected with many of the dialects spoken in Europe, may be considered as the principal key to those of India; for though the dialects of the south are not radically connected with it, its terms are liberally intermixed with the vernacular speech of the Tamil, Telooogo, and Canarese nations. The acquisition of the latter, therefore, it is evident, must be greatly facilitated by a knowledge of the former; and it has accordingly been found that the progress made by the students at the college of Fort St. George in the attainment of them has been incomparably more rapid and satisfactory since they have studied the Sanscrit in England.

## LITERARY AND PHILOSOPHICAL INTELLIGENCE.

### ASIATIC SOCIETY.

To our report of a previous meeting of the Asiatic Society (pp. 168—171), the following is a short supplement.

At the meeting of the 10th of August, a manuscript in the Arabic character was presented by G. J. Siddons, Esq. It comprises the code of laws as they were administered in the Pangeran's court at Fort Marlboro'. The work was compiled by Mr. Hen. Robt. Lewis, with the sanction and under the immediate supervision and correction of the principal native chieftains. The natives of Beucoolen have no printed nor written book of the laws of their country; and therefore it became desirable that a digested code should be drawn up under the authority of the chiefs themselves, to which the resident might safely refer upon occasion, and thus restrain them within certain lines determined by their own body. Mr. Lewis is engaged upon a translation of this work.

A box of various Hindoo and Mahomedan coins, and Hindoo sculptures, with descriptions accompanying, was presented by Dr. R. Tytler, together with a great number of ancient coins.

The Hon. C. M. Ricketts presented eighty specimens of rocks and minerals from the Gorruckpore hills; a specimen of carbonate of lead, with actynolite, from the same quarter; and a sulphuret of iron from Padang; also the skin of a large specimen of the *ghurealis gangetica*, or *lacerta gangetica*.

A letter was read from Mr. Anderson, secretary to the Literary Society of Madras, proposing a correspondence between the two associations.

Lieut. Fell was unanimously elected a member.

A meeting of the society was held on the 24th October, at which the most noble the Marquis of Hastings presided. Mr. J. Marshman and Mr. Frazer were unanimously elected members. A letter was read from Monsieur de Sacy, in reply to the notice of his election as honorary member, and presenting to the Society a copy of the "*Mystères du Paganisme*" by Mons. de Saint Croix, and of Mr. Orvaroff's work on the "*Mysteries of Eleusis*."

Capt. Roebuck presented a copy of his edition of the "*Boorhani Qatere*."

A letter from Mr. Da Cruz communicated the present of a spear and brass shield, implements of war used by the Alfoars inhabiting the north part of the island of Celebes; two spears and wood-

en shields, used by the savages of Ceram. The superintendent of the museum reported the following donations to that department: minerals from Serinagur, presented by the hon. C. M. Ricketts; images and monumental inscriptions, by Dr. Tytler, of Allahabad; a plough from Java, by Capt. Fiddes.

A meeting was held on the 12th December, at which the Marquis of Hastings presided. The vice-presidents and committee of papers were re-elected for the ensuing year. Mr. Buckingham was elected a member.

A letter was read from Mr. Vaughan, librarian to the American Philosophical Society, transmitting the first volume, new series, of their transactions, *Journal of the Academy of Natural Sciences of Philadelphia, &c.* The same letter acknowledges the receipt of the twelfth volume of the *Asiatic Researches*.

Dr. Wallich presented to the Society, in the name of Dr. Gilman, of the Medical Board, the "*Historia Universalis Asiaticæ*" of Joannes Baphila de Grammoye. Dr. Wallich also communicated a drawing and description of the *camellia hissi*. Among the various and valuable additions which the botanical garden has received from the successful researches of the hon. Mr. Gardner, are specimens in full blossom, and the ripe fruit of the genuine tea plant, *thea viridis*, and its nearly allied neighbour, the *camellia*. Of the former there is only one shrub at Katmandoo, growing in the garden of a Cashmeerian, where it was originally introduced from China while a young plant. It has attained the height of nine or ten feet, producing abundance of blossoms and ripe capsules annually, from Sept. to Nov. Mr. Gardner has caused several offsets to be taken from it, but they have unfortunately failed, though they continued very vigorous for some time after they had been put in the ground. Other trials are intended to be made, and Dr. Wallich has no doubt that both the tea shrub and the Nepaul *camellia* will before long be introduced into such parts of northern Hindoostan, as may appear best calculated for their successful cultivation. The *camellia* was discovered by Mr. Gardner on the mountains of Sheopore and Chaudraghree, which form the boundaries of the valley of Katmandoo to the north and south. It grows to a considerable size, throwing out numerous leafy branches, and producing blossoms during the rainy season, succeeded by

abundance of fruit, which ripens in the course of three months. It is so like the tea tree in its leaves and blossoms, as to be easily mistaken for it. The leaves on being dried have the peculiar fragrance of tea. The natives, however, use it for no other purpose than that of fuel.

Col. Mackenzie presented an account of the present state of the ancient city of Beejapore, formerly the capital of the Adil Shallee dynasty of the Mahommedan kings of the Deccan, by Capt. Geo. Sydenham, drawn from an attentive survey in 1811.

The following curiosities have been presented since the last meeting.

An alabaster tablet inlaid with stones of various colours, arranged in the form of flowers, to imitate the mosaic work of the Taj at Agra, by the Hon. George Dowdeswell.

An Egyptian pebble, a sea cocoa-nut, and a specimen of limestone from Nantes, by Mr. Gibson.

#### MADRAS LITERARY SOCIETY.

On Thursday, the 8th of October, the Madras Literary Society held a meeting at their rooms on the Mount Road; the hon. George Cooper in the chair.

The acting secretary communicated a meteorological record, forwarded by Mr. Murdock Brown, exhibiting the variation of the thermometer, and the quantity of rain fallen annually at Anjarakandy, on the coast of Malabar, from the year 1810 to 1817, accompanied by some observations of a highly interesting nature respecting the climate of that coast.

A letter was read from the Abbe Dubois, transmitting a very curious account of the four kinds of ordeal, by the balance, by fire, by water, and by poison, which prevail among the Hindus.

Mr. Ellis signified his readiness to co-operate in the elucidation of the many important matters which had been noticed by the president in his opening address; and he suggested that particular evenings might be appropriated for readings on those titles of Hindu law which related to its administration in the native courts, where such courts are in existence; to the law of evidence generally, and to ordeals and judicial oaths in particular.

R. A. Maitland, Esq. and J. B. Hudleston, Esq. were elected members; and Dr. Woysey, who is proceeding to Hyderabad as mineralogist and geologist under Col. Lambton, an honorary member.

On the 7th of November the Society held a meeting, the hon. Sir John Newbolt, president, in the chair.

The acting secretary read a letter from the Lord Bishop of Calcutta, stating that he accepted with pleasure the invitation

to become an honorary member of the society; a letter from Mr. Wilson, secretary to the Asiatic Society, signifying the readiness of that learned body to maintain a correspondence on matters connected with the objects of the two institutions; a letter from Mr. E. R. Sullivan, accompanying a valuable collection of books to be deposited in the library; and a letter from Messrs. Arbuthnot and Co., forwarding a collection of valuable catalogues for the use of the society.

T. H. Baber, Esq., P. Cleghorn, Esq., and J. Shaw, Esq. were elected members of the society.

Dr. Jebb was elected a member of the managing committee, in the room of G. Ross, Esq. deceased.

The miscellaneous business of the day having been completed, Mr. Ellis proceeded to the first part of his lecture on Hindu law. He commenced by describing the general plan of the readings, and the sources from whence they were chiefly derived. He then adverted to the several works which form the body of Hindu law, specifying their general nature, and noticing the translations into English of Hindu law books, which have been made by Mr. Halhed, Sir William Jones, and Mr. Colebrooke. Mr. Ellis stated his reasons for considering the digest compiled in Bengal, and translated by Mr. Colebrooke, to be of no authority in this part of India; see *Prospectus*. He enumerated the several law authorities in southern India, observing that the preference should be given either to the *Madhaviyam* or to the *Vignaneswariyam*; the latter had been translated into Tamil by Parur Vadeyar and Chedambala Pandarum, head master of the college of Fort St. George. Mr. Ellis concluded this introduction, by indicating the works which ought to be used in compiling a digest for the use of the territories under the presidency of Madras.

On the termination of this address, Sir John Newbolt thanked Mr. Ellis, on the part of the meeting, for the high gratification they had received, from the commencement of a lecture enriched with new and curious information, and illustrated by learned research directed by intimate acquaintance with oriental literature.

Our reports of this learned lecture, as the different parts of it proceed, will be illustrated by the following outline of the circle which the entire course is intended to embrace.

PROSPECTUS OF READINGS, chiefly from manuscript works, on the following titles of Hindu law; namely, on the administration of the law in the native courts while they existed, on the law of evidence, and on judicial oaths and ordeals; in three parts.

Part the first.—Introduction; general plan of the readings stated; materials from which to be taken; necessity of a previous explanation of the works forming the body of Hindu law; titles of these works, and their general nature; translations of them in English noticed; reasons for considering the digest compiled in Bengal and translated by Mr. Colebrooke no authority in this part of India; fourteen cases stated in which the authorities prevalent in southern India differ from the digest; legal authorities in southern India enumerated; preference to be given, as the chief authority, either to the *Mudhaviyam* or *Vijnyaneswariyam*; translation of the latter work into the Tamil language noticed; works which ought to be used in compiling a digest for the use of the territories under the presidency of Madras.

Part the second.—Constitution of the Hindu courts; duties of the prince as chief magistrate; duties of the *subhasidd-háh* or assessors; duties of the *prátvivácah* or chief justice; several descriptions of courts; institution of suits; inadmissible suits; plaint, how to be drawn; answer, how to be drawn; proof, by which party to be produced; the four steps, *páda*, or divisions of a suit, namely, *bhāshapáda* and *uttarapáda*, pleadings of the two parties, *criyāpáda*, production of evidence, *sáhyasidd-hipáda*, decision by the decree; miscellaneous subjects connected with the administration of justice; the nature of proof, *pramānam*, and its kinds, namely, human proof or evidence, *mānushya-pramānam*, and divine proof, by oath and ordeal, *divya-pramānam*; evidence of three kinds, namely, *śe, hita* writings, *sāśchi* witnesses, *b, huoti* enjoyment; nature of each briefly stated.

Part the third.—Oaths and ordeals; the several kinds of expurgatory ordeals, namely, according to *Yājnyavalkya* and others, *agni-divyam* by fire, *jala-divyam* by water, *visha-divyam* by poison, *cōsha-divyam* by holy water: and according to *Nārada* and others, *tandula-divyam* by chewing dry rice, *tapta māshu-divyam* by taking gold from clarified butter while hot, *p'hala divyam* by the hot ploughshare, *dhermajū-divyam* by taking one of two images, representing justice and injustice, from a covered pot; occasions on which the ordeals may be lawfully performed; the penalty incurred by the party demanding the ordeal, in case his adversary succeeds in performing it; the seasons of the year in which, and the persons, considered with respect to caste, age, sex, &c. by whom the several ordeals may be legally performed; nature of the ordeals to be performed in suits for property, determined by the value of the thing in dispute; places where ordeals

can be legally performed; the punishment to be inflicted for failure in an ordeal; ceremonies common to all ordeals, as *upavāsānam* fasting, &c.; particulars to be observed in the performance of the several ordeals; and first, in the ordeal of the balance: materials of which the scales are to be made; mode in which this ordeal is to be performed; the same with respect to the ordeals by fire, water, poison, holy water, rice, gold, the ploughshare, and images; different kinds of *imprecatory oaths*, and occasions on which they are lawful.

On the 28th Nov. the Literary Society held a meeting, for the continuation of Mr. Ellis's readings, the hon. Sir John Newbolt, president, in the chair.

Mr. Ellis having noticed one or two points, tending to illustrate his introductory lecture, proceeded to the next division, describing in a very particular manner the constitution of the Hindu courts. He then took an historical view of the constitution of courts of law among the Jews, the Greeks, and the Romans, as also of the constitution of courts of justice in our own country, from earlier times to the present day, and pointed out many striking features of resemblance to the Hindu courts. Mr. Ellis afterwards proceeded to describe at length the several duties of the prince, as chief magistrate, of the *subhasadah*, or assessors, and of the *prátvivácah*, or chief justice, pointing out many remarkable particulars in which the *prátvivácah* might be considered to resemble the archons of Greece, the prætors of Rome, and the judges of our British courts of judicature, and noticing the several points of resemblance and distinction between the duties of the *subhasadah* and the functions discharged by the judges of the Greeks, the judges or assessors of the Romans, and the juries of Great Britain. An account of the various descriptions of Hindu courts, with a comparison between those courts, in regard to the duties they had to discharge, and the jurisdiction of the several courts in England, concluded this division.

G. J. Waters, Esq., W. Babington, Esq., of the 6th N. C., and A. Maclean, Esq. were elected members.

Dec. 19th, the Literary Society held a meeting for the continuation of Mr. Ellis's readings.

The learned lecturer called the attention of the meeting, in the first instance, to some observations on the first volume of Mr. Mill's History of British India, on the subject of Hindu law, which he considered to be founded in error, and which the facts noticed in his former

readings had a direct tendency to refute. Having commented briefly on the passages in question, Mr. Ellis proceeded with the third lecture, on process, pleading, and trial in the Hindu courts. In taking a view of the different forms of arrest, Mr. Ellis pointed out a resemblance to the *vocatio in jus* of the Romans; and enumerated at length the several descriptions of persons who are exempted, as well as the various circumstances which are held to constitute an exemption from arrest. Mr. Ellis noticed, in the next place, the mode of summoning persons to appear before the courts, and the other incidents of process, previously to the appearance of both the parties in the court. The course of his subject then led him to consider the several divisions or steps of a suit before a Hindu court; commencing with the plaint, the mode in which it is to be drawn, and the matter which it is to contain. The answer, with its technical form, was next considered according to the text of the *Vijnane swaryam*.

Sir John Malcolm, K.C.B. and K.L.S., and Sir John Sinclair, Bart., Lieut.col. Dalrymple, and J. Dacre, Esq. were elected members.

#### GEOLOGICAL SOCIETY.

Jan. 15, a paper was read from S. Babington, Esq. "On the geology of the country between Tellichery and Madras."

The face of the country in general below the ghauts is marked by low rounded hills, composed of a porous substance called, by Buchanan, laterite. The mountains denominated ghauts, and the other mountains traversed in the course of his journey, the author describes as consisting of granite, gneiss, mica, slate, &c. varieties of hornblende rock sometimes containing garnet, and in one place cyanite. The Carnatic, or country east of the eastern ghauts, is flat, as though it had been once covered by the sea; and in digging a well about two miles from the coast, a stratum of brown clay was first cut through to the depth of about five feet, then a stratum of bluish black clay nearly 30 feet, containing beds of oyster, cockle, and other shells; and at about 37 feet from the surface water is obtained.

A paper was also read, from Dr. Adam of Calcutta, "On the geology of the banks of the Ganges, from Calcutta to Caunpore."

There is no rock on the banks of the Hoogly or Ganges between Calcutta and the province of Bahar. The soil consists of a mixture of argillaceous earth, sand, and minute grains of mica, and is highly favourable to vegetation.

After leaving the low lands of Bengal,

the Ragemaal chain of hills present themselves; of these, as well as other hills between this chain and Monghyr, the author has sent a series of specimens as a necessary illustration of his paper.

After leaving Monghyr, the country again becomes flat, and continues so for upwards of 200 miles. At Chenor there are several low ranges of hills; between these and Caunpore there is neither rock nor rolled stone, but the soil consists chiefly of clay, sometimes considerably indurated.

#### ANTIQUITIES IN TAURIS.

In the course of some recent diggings, near Fanagoria, in the government of Tauris, a vault, in the form of a tomb, was discovered, containing a human body of prodigious size, in a state of high preservation. It is presumed, that the body has lain there since a remote period of antiquity, for it is well known that Tauris formed one of the colonies of ancient Greece. The head was encircled with a laurel wreath in gold; on the forehead was a gold medal, with a head, and the initials P. P. (Philip). On each side of the body were vases of silver and porcelain, chains of gold, and ear-rings. On one of the fingers was a gold ring, with a precious stone, on which were engraven two figures, the one male and the other female, admirably executed.

#### COW-POX IN PERSIA—SIMILAR DISEASE IN MILCH SHEEP.

Extract of a letter from W. Bruce, Esq. resident at Bushire, to W. Erskine, Esq. of Bombay.

"When I was in Bombay, I mentioned to you that the cow-pox was well known in Persia by the Eliaats, or wandering tribes. Since my return here I have made very particular inquiries on this subject amongst several tribes who visit this place in the winter to sell the produce of their flocks, such as carpets, rugs, butter, cheese, &c. Their flocks during this time are spread over the low country to graze. Every Eliaat that I have spoken to on this head, of at least six or seven different tribes, has uniformly told me, that the people who are employed to milk the cattle caught a disease, which, after having once had, they were perfectly safe from the small-pox. That this disease was prevalent among the cows, and showed itself particularly on the teats, but that it was more prevalent among and more frequently caught from the sheep. Now this is a circumstance that has never, I believe, before been known; and of the truth of it I have not the smallest doubt, as the persons of whom I inquired could have no interest

in telling me a falsehood; and it is not likely that every one whom I spoke to should agree in deceiving, for I have asked at least some forty or fifty persons. To be more sure on the subject, I made more particular inquiries of a very respectable farmer who lives about 14 miles from this, by name Malilla (whom Mr. Babington knows very well), and who is under some obligations to me; this man confirmed every thing that the Eliaats had told me, and further said, that the disease was very common all over the country, and that his own sheep often had it. There may be one reason for the Eliaats saying that they caught the infection oftener from the sheep than the cow, which is, that most of the butter, ghee, cheese, &c. is made from sheep's milk, and that the black cattle yield very little, being more used for draught than any thing else."

#### DISCOVERIES IN EGYPT.

Some time ago, to the great grief of every lover of antiquities or admirer of enterprise, it was reported that M. Belzoni was dead; but we are happy to say that a letter from Naples falsifies this statement. Lord Belmore, who has resided for some time at Naples, where he arrived after a long and interesting tour through Egypt, Palestine, Syria, and to Troy, has received letters from M. Belzoni, dated from Thebes in upper Egypt, of the 27th of October. He continues his researches in Egypt with the greatest activity, and has lately made many important discoveries.

We described some of the principal of his previous achievements in our sixth volume, pp. 496, 499.

M. Belzoni is a native of the Papal states. About nine years ago he was in Edinburgh, where he exhibited feats of strength, and experiments in hydraulics, musical glasses, and phantasmagoria, which he afterwards repeated in Ireland and the Isle of Man, whence he proceeded to Lisbon, where he was engaged by the manager of the theatre of San Carlos to appear in Valentine and Orson, and afterwards in the sacred drama of Sampson. For such characters he was admirably adapted, being in his 25th year, six feet seven inches high, remarkably strong, and having an animated prepossessing countenance. He afterwards performed before the Court at Madrid, whence he proceeded to Malta, where he was persuaded by the agent of the Pashah of Egypt to visit Cairo. Here he built a machine worked on the principle of the walking-crane, to irrigate the gardens of the Pashah by raising water from the Nile. Three Arabs with M. Belzoni's servant (an Irish lad whom he had taken with him from Edinburgh) were put in to

walk the wheel; but on the second or third turn the Arabs being either frightened or giddy jumped out, and the Irishman had his thigh broken; which put an end to this undertaking. On this failure happening, and while meditating upon trying his fortune in search of antiquities in upper Egypt, Mr. Salt arrived in Cairo, and on the representation of Sheik Ibrahim, who had witnessed his extraordinary powers, conceived him to be a most promising person to bring the head of the young Memnon to Alexandria. They entered into a compact; and how well he succeeded in this first work has been proved by the head being now in the Museum.

While in Egypt, Lord Belmore had advanced to 150 leagues beyond the Cataracts into Nubia; he passed six weeks at Thebes, where he every day made some researches, with the assistance of a hundred Arabs. His discoveries there are very valuable. His tour will be of great advantage to geographers; for he has accurately determined the longitude and latitude of the greater part of the places through which he passed, having been accompanied by his brother, Capt. Corry of the navy, who had with him an excellent sextant. On his lordship's return to England he will publish his travels.

One of the Paris journals announces, that a French traveller now in Egypt has discovered, at a distance of about nine hours journey from the Red Sea, an ancient city built in the mountains, between the 24th and 25th degrees of latitude. There are still 800 houses in existence. Among the ruins are found temples dedicated to various divinities. There are eleven statues, and various ruins of others. He has also discovered the ancient stations that were appointed on the route through the Desert, going from the Red Sea to the Valley of the Nile. These stations are at regular distances of nine hours between each. This route is undoubtedly one of those traversed by the commerce of India, a commerce which was so flourishing at the time of the Lagides, and under the first Emperors. The situation is now ascertained of the emerald mine, of which no certain knowledge was had for several ages.

#### EXPEDITION TO EXPLORE AFRICA—JOURNEY TO TOMBUCTOO.

A French naval officer recently brought advices to England from Major Gray, employed by the English government to travel in the interior of Africa. Major Gray left the river Gambia in the month of April, 1818. On the 1st November following he was at Bondou, a negro country situated near the river Senegal, where he was detained by the evil dispo-

sition of the inhabitants, and from the want of trading articles, till the 15th of the same month, when he proceeded with his expedition to the village of Bakel, in the Serracolet country. He there put himself under the protection of the French government brig *Argus*, which vessel was to stop a year in that country. At this period Major Gray received no news for a whole month from the surgeon-major of the expedition, whom he had sent to Sego, to solicit the protection of the king of Bambarras. Mr. Adrien, a man of colour, and interpreter to Major Gray, who had gone to St. Louis, Senegal, for trading articles, left it the beginning of the last month to join the expedition. On the 18th of November last, Major Gray was in very good health, though he had unfortunately lost the greater part of his white men, and all the animals of burden, but he had not abandoned all hopes of succeeding in his mission. He had already penetrated 300 leagues into the interior of the country.

It is stated in a Paris paper, that a young French traveller, nephew of Count Mollien, ex-minister, has succeeded in reaching Tombuctoo by way of Senegal. His family has just received a letter from him, in which he announces his safe arrival in that celebrated town, hitherto unknown to Europeans, and which the unfortunate Mungo Park twice vainly attempted to reach.

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## MISSIONARY INTELLIGENCE.

### NEW COLLEGE AT SERAMPORE.

A prospectus of a new college at Serampore, for the education of Christian, native, and other youth, has been lately published. The plan is of considerable magnitude. His Exc. the Marquis of Hastings has consented to be the first patron of this new college; and its government is placed in the hands of the Serampore missionaries, who have given their premises for the use of the institution until suitable buildings can be erected. The main object is to instruct native youth in the Sungscritu language, that they may be enabled, by a thorough knowledge of the sacred books of Hindus, to compare the tenets of Brahma and of Bouhdisim with the doctrines of Christianity, and thus become qualified for spreading a knowledge of the truth over Asia.

### CHITTAGONG.

*A Missionary murdered.*—Mr. De Bruyn, a zealous and active missionary belonging to the Baptist society, was barbarously murdered at Chittagong, in the close of the last year (1817), by a young man, who acted as his interpreter to that degenerate race of outcasts called Mugs. Mr. De Bruyn had laboured with very considerable success amongst them; and a good number were baptized by him. He had treated the young man who became his murderer, as his own son! Those who communicated the information to Serampore, were urgent that some other missionary might be sent without delay. They have been visited by missionaries from Serampore and Rangoon. This afflictive occurrence points out the necessity of having more than a mere solitary labourer in one mission.

### MADRAS NATIVE SCHOOLS.

*Extract of a letter from Mr. Loveless, dated 17th Oct.*—"The native schools promise great usefulness; and the natives discover an increasing disposition to send their children to schools in which Christian principles are professedly taught. We have had an application from some natives to establish a female native school, a rare thing in India! we design to comply with their request. Our Bible associations have furnished a great number of

*Asiatic Journ.*—No. 42.

them with the Bible, and many of the boys have attained a considerable knowledge of its contents."

### PALAMCOTTA.

#### *Hindoo Ceremonies in burning a Corpse.*

Extract of a letter from the Rev. James Hough, chaplain at Palamcotta, dated 22d September.

"Word was brought me on Saturday that my Moonshee's mother was dead, with a request that I would supply the family with some cocoanuts, &c. 'to make ceremony over her.' The Hindoos burn their dead. I expressed an inclination to witness the ceremony. Accordingly, a person was despatched to tell me when the procession was moving; and I set out by a shorter road to the destined spot. It was an elevated station, on the banks of the river.

"As soon as I heard the distant music, I got out to view the sable group. The music consisted of kettle-drums and tom-toms (a kind of long drum), an immense long horn, and two shells called shanks, which were perforated at the thick end, at which a man blew, and they produced a most dismal sound. These were followed by the relations and friends of the deceased, with the barber, and the Brahmin or his substitute. Having stripped off their jackets and white cloths, they mourned in their black skins, if mourning it could be called, for the grief of most of them seemed no deeper. Next came the body, which was laid on a frame covered with cloths, and placed under a canopy decorated with a scarlet cloth and a variety of garlands.

"On reaching the spot, the body was laid on a pile of stones covered with casks of dried cow-dung. The head was then uncovered, and the face exhibited, which was much disfigured by age, and still more by its distortions from the things placed on it. The mouth was kept open with a bandage tied round the chin, and the eyes were closed with mud. As soon as the body was disposed, the son of the deceased went to the river, washed his head, and returned, carrying a small vessel of water in his hand, and preceded by the man blowing in the shells. The relations and friends now put a small quantity of rice in the mouth of the



corpse, placing first a piece of money on her chin, which was afterwards removed, and given to the barber. The son came last; and, after touching the body, washed his hands in the water which he had brought from the river. I suppose there was some mystery in the manner of putting the rice in the mouth. Some ignorant fellows were for letting it drop in, in the easiest manner; but they were soon taught better, and made to lay the back of the hand on the chin, with the thumb toward the mouth, and then to toss the rice in by turning over the hand; by this means she lost as much as she got. The son next took a large chatty of water on his shoulder, and walked three times round the body, a person each time knocking a hole in the chatty, at which the water ran out, and made three circles. It was then broken at her head, and the son proceeded to prostrate his body at her feet. After this he kissed her feet and hands, and she was covered with cakes of dried cow-dung, straw, and mud, which inclosed the whole; the son having first set fire to the cow-dung with a small piece of sandalwood, and the attendants having stripped the body of its ornaments, and placed a lighted cake at her head and feet.

"I missed the son, and on asking for him, was told that he was gone to be shaved. I followed him, and found that the poor fellow had lost all the hair from his head and body. His friends were seated in groups, smoking cheeroots, which they had made of some tobacco-leaves that I saw distributed among them: and to give some idea of their feelings on the mournful occasion, one of them snatched at a better leaf than had been given him, and the donor laughed at the joke. All this passed close to the body.

"I left the pile smoking; and was told that it would be consumed in five hours, when they would cast the ashes on the river.

"You will ask the reason of all this, and so did I, but could get none; 'custom, custom,' was the reply to all my questions of this nature. Oh! what blind leaders of the blind are the Hindoo Brahmins!"

#### MALACCA.

May, 1818.—The evening school for Malay and English, which was begun previously to Mr. Thomson's going to England, he has, during the last quarter, re-opened. He has also begun a Malabar school: both promise well. A Malay spelling-book, compiled by him, has just been printed here.

The demand for the Chinese scriptures and tracts; especially by natives of Cochin-China, from the junks, has been much greater this spring than ever before. Among the subscriptions in aid of the

schools is one of 400 dollars from S. Ball Esq., of the H. E. I. C. factory, China; one half to be laid out in the purchase of Chinese, and the other, of European standard books, for the use of the Anglo-Chinese college.

#### SANGIR AND CELEBES.

Mr. Kani lately proceeded from Amboyna to visit the islands of Sangir and Celebes, and other places in the Eastern Archipelago. The following are extracts from his narrative:

"I found the schools here, at the principal town of Tabookang, in a better state than I expected. A few of the boys were able to answer a great many questions in the catechism, and some of the school-masters performed the church service in a tolerably decent manner.

"Whilst I remained here the king of Maguanito arrived on a visit to the king of Tabookang. The kings attended public worship together. The number of the people who came was not great, on account of a liver sickness, which at this time was very prevalent throughout the island. Even a number of my boat's crew were so ill as to be unable to move, so I was obliged to leave them on shore whilst I proceeded, in a small canoe, to visit four negerys, which lie at a considerable distance from the principal town of Tabookang. At these negerys I found the people greatly inclined to listen to the gospel of Christ and to receive its consolations, and perhaps more so because of the sickness with which they were afflicted.

"When I had finished my labours in this island I returned to Chiouw, as it lay in my way back to Celebes; but our voyage was attended with great difficulty, by reason of the strong currents which ran against us. At Chiouw I was obliged to stop several days on account of the sickness of my people, and also for want of provision, but the good king took care to provide every thing for us. Whilst we tarried here I felt the first attack of a liver fever, and when we arrived at Kema, which is on the east coast of Celebes, I was so ill that I was obliged to keep my bed for a month, at the house of Mr. Meyjer.

"In the beginning of November I left Kema, and went by land again to Manado, where I was kindly received by the resident, who provided me with every thing that was necessary to promote my recovery. I continued this second time in Celebes about two months, and when perfectly recovered, I again proceeded by sea to Tanowanka, where the people were expecting me, as I had promised to visit them again on my return to Amboyna. They heard the word of salvation with great joy. A number of the Alvoor peo-

ple, as well as the Christians, attended divine worship every day.

## CHINA.

*The Bishop of Peking*, sent out many years ago, by authority of the Pope and the Prince of Portugal, to proceed to Peking, in order to take charge of that bishopric, died suddenly at Macao, during the spring of 1817. The persecution in Chiua had prevented him from penetrating the country.

*Native Christians.*—Previous to May 1818, a Tartar public secretary and his coachman had been apprehended, and delivered over to the board of punishments, on the charge of being Christians. The secretary acknowledged that his grandfather became a Christian, but that when, in the 10th year of the present reign (1806), the profession of that religion was disallowed, he had recanted.

His adversaries argue that his plea is false, from his not calling for Pagan priests during his mother's illness, nor performing certain ceremonies after her death; as also from his not offering incense at the gates of his house to the presiding spirit. The prosecution is conducted by some of the first people at court, in consequence of the statements of an informer. Fifteen persons are implicated, most of them held offices in the government.

## MADAGASCAR.

By a letter from Mauritius, dated 16th Oct. we learn that Mr. Jones had returned thither from Madagascar, and had brought encouraging accounts as to the prospect of establishing a mission in the latter island. Messrs. Jones and Bevan had commenced a school, composed of ten scholars of the first rank, and with the full expectation of obtaining many more. They had derived promising indications from the aptness and docility of their pupils.

## CAPE OF GOOD HOPE.

*Description of Hootge Kraal, and the town of George.*

The mission at Hootge Kraal was commenced during the Rev. Mr. Campbell's visit to Africa in the years 1812-13. It is situated in the drosdy (or district) of George, about three miles from the town of that name, so called after his present Majesty. Hootge Kraal stands on an elevated situation, in the midst of a beautiful plain, near Mossel-bay, and commands a view of the town of George. The surrounding country, which is well wooded and watered, is distinguished for its rich and majestic scenery. The land is good, and adapted for corn or pasture. All the materials of building are at hand. The woods supply timber, clay is found on the

spot, and limestone in abundance on the sea-shore, which is only about a mile and a half distant.

The building of the town of George commenced about the month of April 1812. The situation was selected by Lord Caledon, at that time governor of the Cape of Good Hope. In March 1813 the court-house and prison were finished, the secretary's house and some other dwellings nearly so. It was intended that the streets should be 200 feet in width, and on each side of them rows of trees planted for ornament and shelter. In March 1816 a church was building, intended to be a handsome structure, in the Gothic style, and to contain from 1000 to 1500 persons. The houses which had been erected were two stories high, detached from each other, and gardens between them. The town of George is watered by a small stream from the mountains, called the Zwart Revier, which flows in the dry as well as in the rainy seasons.

At the station of Hoogte Kraal there are more than thirty small dwelling-houses or cottages, inhabited by nearly 200 persons. These houses are placed in regular rows, with gardens attached, and between each garden a row of fruit-trees. The resident Missionary's is a small neat dwelling, containing two rooms, but he has also a kitchen, a room for the accommodation of strangers, and two store-houses. The chapel, which is a neat building, was erected by the people of the settlement, and at their own expense. The number who attend the chapel on Sunday amounts to about 300, which includes, besides the people belonging to the institution, those Hottentots and others who come from the town of George, and from the houses of farmers in the neighbourhood.

Mr. Pacalt has established a school, in which are about sixty children, who are taught to read, write, and cipher. He has apprenticed to different persons at the town of George three Hottentot boys; one to learn the business of a carpenter and cabinet-maker, another that of a shoemaker, and the third that of a mason, with a view to settle them in business at Hoogte Kraal.

Of the people of the settlement, some are usually employed in cutting timber in a wood about four miles off; most of them occupy themselves in cultivating the land, sowing corn, and in the care of their gardens. A few possess several head of cattle and waggons.

Mr. Pacalt, who had laboured there as a missionary from the year 1812, died, after a few days illness, on the 26th of November last. Mr. Van Kervel, the Landdrost of George, had testified his veneration for his memory, by requesting, in a letter to Col. Bird, the colonial secre-

tary, that the station should in future bear the name of *Pacali's-dorp*.

#### ARCHBISHOP OF JERUSALEM.

Notwithstanding the study of the Syriac language has been intensely cultivated in this country, the versions of the New Testament prepared and executed with so much labour here, have been rejected by the Maronite Archbishop of Jerusalem as useless, from the typographical inaccuracy which, it is alleged, pervades the copies. We should like to know, from the testimony of competent judges, how far this objection is well founded. This we recollect, however, that Dr. Burckhardt and Mr. Jowett, some time since, both lamented the opposition which Protestant Missionaries had met, and might expect to meet, from the Latin fathers at Jerusalem, and the Roman Catholics who had pre-occupied the countries of Syria and Egypt: see *Asiatic Journal*, Vol. VI. p. 503. But the narrow distinction in externals between the Syriac and the Roman churches, if one is not included in the other, may admit a liberal difference in spirit.

*March 23.*—Arrived at Oxford, the most reverend Gregorio Pietro Giarve, a native of Damascus, the Syrian Archbishop of Jerusalem. His principal object in paying a visit to the University was, that he might examine the Arabic MSS. of the Old Testament in the Bodleian Library, to see which of them contained the version that it would be best to print and circulate in Syria. Upon being shewn the MSS. containing the different versions, he determined almost immediately the merits of each. It appeared, however, from what he said, that nothing would be more acceptable than the version published at Rome, with the Latin, in the year 1671, which has been principally in use, and is now become rare. But the Archbishop's more immediate object, in undertaking a journey to Europe, was to procure presses and Syriac types, in order to have the means of printing editions of the Bible and theological treatises at his own monastery of Saint Maria Liberatrice, on Mount Libanus; which could by that means be more correctly executed than in Europe, and would contribute most effectually to enlighten Syria in the knowledge of Christianity. Arabic is the common knowledge of Syria; but it would be preferable to print Arabic in Syriac characters, i. e. in Carshan. The archbishop anticipates hopes that the object which he has in view will be warmly supported by the contributions of English-

men. He appears to be about forty; he possesses the most amiable qualities, and all the milder virtues, united with extreme energy and animation. He has resided for a considerable time in Italy, and for some time in Paris, before he came to England. The only European language he speaks, and he speaks that with great fluency, is the Italian. He is profoundly acquainted with the Arabic language, not only from its being his native language, but from having studied it critically; nor is he less versed in the Syriac, the language in which the Liturgy of the Church is read. His dress chiefly consists of a cloak of blue cloth and a turban of the same colour.

Soon after the views of this venerable stranger were disclosed, Mr. G. Clymer, an ingenious American gentleman, who has invented the improved printing-press called the *Columbian*, placed at his disposal an elegantly wrought press of this construction, valued at 100 guineas.

*April 13.*—The subscribers to the fund for assisting the Syrian Archbishop of Jerusalem to promote Christian knowledge in Syria, by forming a printing establishment on Mount Libanon, met at the Freemason's Tavern. Lord Teignmouth having been called to the chair, addressed the meeting. His Lordship observed, that the venerable Archbishop of Jerusalem had travelled from Syria in order to procure assistance in erecting a printing establishment at the seat of his own spiritual authority, the more extensively to disseminate among his flock, which amounted to more than a million of souls, the sublime truths and moral lessons of Christianity. He had passed to this country by the way of Rome and Paris; and his visit to England gave its inhabitants an opportunity to assist their Asiatic brethren, which they had embraced. The archbishop was now about to return to Syria; and this public interview between him and the subscribers to the funds placed at his disposal, had taken place at their desire, that he might receive a valedictory salutation at their hands.

The Rev. Mr. Pratt said, that some difficulties had at first perplexed the path of an unknown stranger arriving in London, without the support of letters missal, or any introduction from worldly power; but these had been happily removed. The identity of this honest, pious, zealous dignitary of the Syrian church was now known and acknowledged.

The Rev. Mr. Owen said, that he had accompanied the archbishop to the University of Oxford. From his knowledge of the languages used in the countries around Jerusalem and Damascus, one great advantage had been gained, the knowledge of the version of the Scriptures best suited for dissemination there. The

printing of the sacred book, which had, from scruples to use the copies formerly sent, been impeded, could now go forward. He bore testimony to his abundant worth, simplicity of heart, and unaffected piety.

The Rev. Mr. Lee (Professor of Arabic in the University of Cambridge) had also witnessed the astonishing acquaintance which the archbishop had displayed with the stores of oriental literature preserved in the Bodleian Library at Oxford.

The archbishop with his two attendants then entered the room, and having bowed to the assembly, took his seat on the left of the chair. After the object of the meeting was explained in Italian to him by Mr. Owen, he stood up, and in a neat and impressive address in that language, returned thanks to the gentlemen present, and to all others who had contributed to enable him to dispense the blessings of religious instruction among thousands: he would never forget them.

The archbishop then shook hands with Mr. Wilberforce, Mr. Owen, and Mr. Lee, and having paid to the meeting the marks of his respect, retired.

Means of corresponding with him after his return were afterwards devised.

An incorrect report of the proceedings of the day, and the statements made by the different speakers, having appeared in some of the London papers of the 14th

April, it called forth a letter from Mr. Owen, containing a brief statement, bearing Dr. Giarve's signature, as Syrian Archbishop of Jerusalem, dated April 23, of which the following is an extract:—

"It is stated in the first place, that the Archbishop, having visited Rome and Paris, in order to obtain assistance for his object, he did not find sufficient generosity in either of the two capitals; whereas he received from Rome, besides many kindnesses and gifts, a considerable sum, which was exhausted in his necessary expenses. With respect to Paris, his Most Christian Majesty, in a personal interview, promised the Archbishop that he would assist him; and the latter hopes, on his return to that capital, to obtain the fulfilment of this promise. The Archbishop has not concealed either the generosity of Rome or the promise of his Most Christian Majesty.

"In the second place, it is affirmed, that though the Archbishop is a Roman Catholic, yet he disavows all submission to the Holy See: whereas the Archbishop has uniformly professed on every occasion, both publicly and privately, that he acknowledges, with all his nation, the supremacy of the Pope; and that they are together united to him, both in doctrine and morals, though their rites and their discipline are different."

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## ASIATIC INTELLIGENCE.

THE official intelligence contained in the papers received from India is not extensive enough to be made the foundation of any general summary, but the private and demi-official information, derived from the same sources, generally proves correct in proportion as it professes to give accurate details from ascertained data; the unofficial correspondence, coming through the Presidencies, even does credit to the discrimination of the editors there, when of several reports communicated as doubtful, one is eventually discovered to be unfounded: what we have selected for this decision affords a subject for comprehensive review.

### INDIA—BRITISH TERRITORY.

#### *Operations of the Army—Official, published in India.*

*D. O. by Major Munt.*

The officer commanding has great satisfaction in publishing the following let-

ter from Mr. Jenkins, resident at Nagpoor, to Maj. Munt, commanding Beitoold district, dated Mootlye, 26th Sept. 1818.

"Sir:—I have had the honour to receive your letter of the 14th inst., detailing an action between Maj. Bowen's detachment of two troops of the 6th Madras cav. and less than 100 rank and file of the T. L. inf., and a body of 500 Arabs, 300 of whom are left dead on the ground.—I do, indeed, appreciate the spirit and promptitude exhibited by Maj. Bowen in this affair, and I shall have great pleasure in bringing to the knowledge of the supreme government and that of Madras, the strong sense I entertain of the gallantry of this small detachment.—In all times it would be a proud record of what the decision and cool courage of even a handful of disciplined troops can effect against irregulars, however courageous individually; but at the present moment such an example, in addition to the late dashing little affairs of Capts. Newton and Ker, is invaluable, and I hope it will not only be the precursor of many more such defeats, but at once dissolve the

charm which a few successes have thrown around these Arab adventurers.—I request that you will be so good as to explain these sentiments to the officers and men engaged, and that you will accept my acknowledgments for the judgment and activity evinced by yourself on this and other late occasions.—I have the honour, &c.—R. JENKINS, *Resident*."

*D. O. by Major Munt.*

The officer commanding the Beitoool district having received the official report of Lieut. Cruickshank's success in two different attacks upon the enemy on the 21st inst., requests that officer, and the officers and troops under his command, will accept his best thanks for their highly distinguished conduct on those occasions.—It will be the duty of much higher authorities to approve and give publicity to the union of judgment and gallantry which so eminently distinguished Lieut. Cruickshank in his arrangements and execution of those affairs; and it is with no ordinary degree of pleasure that Maj. Munt has reported to his superiors his opinion of the merit of this detachment, a pleasure doubly gratifying from the circumstances so intimately connected with the gallant 2d bat. 10th Bengal N.I., to which Lieut. Cruickshank's report has reference.—Maj. Munt still hopes that this valuable corps will have frequent opportunities of following up the punishment they have commenced to inflict on the enemy, and he assures them his best efforts shall not be wanting to indulge their fair revenge.—(Signed) J. LOGAN, *Acting Maj. of Brig.*

*D. O. by Maj. Munt. Camp Mootlye, 30th Sept.*

The officer commanding in the Beitoool district has great satisfaction in publishing the following extract of a letter received from the Assist. Adj.gen., Nagpore S. F., together with another letter from Mr. Jenkins, resident at Nagpore, regarding the judicious and gallant conduct of Lieut. Cruickshank and his detachment, in the affairs of Jy-jherry and Bakoor, on the 21st inst.

"Hussingabad, Sept. 25th, 1818."—Extract. "In recording the successful operations of Lieut. Cruickshank's detachment which have been achieved with such trifling loss, Col. Adams sincerely laments the wound received by Lieut. Lane in the zealous and eminent discharge of the service."

The commanding officer has already performed a pleasing duty in making a faithful report of these well merited successes for the information of the most noble the Commander-in-chief, and which he feels assured cannot fail to receive the high and distinguished approbation of his lordship; but Col. Adams requests you will in the

mean time do him the favour of expressing to Lieut. Cruickshank his unqualified thanks and applause for the judicious and professional knowledge he displayed throughout; to Lieut. Blair, the second in command, for the active and energetic co-operations which he afforded, and to the officers and men engaged, for their zealous and truly conspicuous services on this occasion.

"To Maj. Munt, Commanding Beitoool district.

"Nagpore, 28th Sept. 1818.—Sir:—I have received with much satisfaction your letter of the 24th inst., enclosing the official report of a successful attack made by Lieut. Cruickshank upon a body of the enemy near Backoor on the 21st inst.—The conduct of this small detachment, consisting of 48 regular and 80 irregular cavalry, and 180 sepoy, in their attacking a body of 500 of the enemy (strongly posted between two deep and rapid nullahs), and in destroying half of their number, is entitled to every praise; and I shall have much pleasure in bringing the decision and judgment of Lieut. Cruickshank, and the gallantry displayed by him and the whole of his detachment, to the particular notice of the superior authorities.—In the mean time I request you will have the goodness to explain my sentiments on the occasion to Lieut. Cruickshank and the officers and men engaged in this brilliant little affair, in any manner you judge proper.—I have the honour to be, &c. R. JENKINS, *Resident*."

*D. O. by Brig. Gen. Watson, C. B. Camp Gurrakootah, Oct. 30, 1818.*

The surrender of Gurrakootah affords Brig. gen. Watson, C.B., the opportunity of offering his best acknowledgments to the whole of the troops engaged in the siege of that fort, for the zeal, order, and devotion evinced by all ranks; and he feels confident, that had the garrison stood a storm those qualifications must have ensured success, though the breach had been defended with a gallantry equal to the perseverance displayed in protecting the siege during a bombardment of five days, and till the breach was practicable. The engineer, artillery, and pioneer departments, being those which have sustained the chief labour of the siege, are particularly entitled to the applause of the Brig. gen., for the perseverance, skill, and science displayed by them on this occasion; the shells were thrown with great correctness and precision, and the practice of the artillery throughout was admirable; the constancy and regularity with which the artillery-men served the batteries for such an uninterrupted length of time, without a relief, reflects the highest credit on them. Brig. gen. Watson, C.B., requests Ma-

jer Hetzler, commanding the artillery, Capt. Coulthard, who commanded the breaching battery, Lieut. Pew, in the mortar battery, and the whole of the officers and men of that corps, will accept his cordial thanks. The indefatigable exertions, intrepidity, and science displayed by Ens. Irvine, acting field engineer, throughout the whole siege, reflects the highest credit on that valuable and promising officer, to whom the Brig.gen. offers his best thanks, as likewise to Ens. Warlow, assist. field engineer, and Lieuts. Earle and Atchinson, of pioneers, whose valuable services are duly appreciated.—The Brig.gen. cannot on this occasion omit to notice, with sentiments of admiration, the animation and eagerness displayed by Brig. Dewar, Lieut. col. Rose, and the officers and men composing the storming and supporting columns under their respective commands, who were only waiting the signal for assault, which was prevented by the timely surrender of the garrison.—It is also a most pleasing part of the Brig.gen.'s duty to record his high approbation of the able and zealous services of Capt. W. James, dep. assist. adj.gen. to the division, Lieut. Strettell, dep. assist. qr.mas.gen., Capt. Knolles, aid-de-camp, Lieut. Mein, sub-assist. com.gen., Lieut. Shipp, baggage mast., who acted as personal staff during the siege, and likewise to Lieut. and Interpreter and Qr.mast. Bagnald, 2d bat. 13th reg., who assisted Lieut. Strettell in his department, and he requests those officers will accept his warmest acknowledgments.

*Private and demi-Official, published in India.*

**DISTRIBUTION OF THE BRITISH FORCE.**

Oct. 7, Brig. Arnold's division arrived at Kurnaul. It marched again in the 8th for Chicherowly, and reached that place on the 7th; there the chief was compelled to make restitution to the different persons whom he had unjustly deprived of their patrimony. Capt. Wilson, with five companies of the 2d bat. 26th reg., has been left near Chicherowly until all matters be satisfactorily adjusted and payments duly made. The remainder of the division returned to Kurnaul, where they arrived on the 22d, and on the 24th they broke up, each corps repairing to its proper station; viz. the 1st. N.C. and seven companies of the 2d bat. 12th reg. to Muttra; the battering train, Delhi, and the European artillery, under Capt. Curphey, to Agra. Such of the latter as belonged to Loonthiana had marched direct to that place from Chicherowly under Capt. Gramshaw, and the remainder belonging to neither of these

stations stop at Kurnaul under Lieut. C.H. Sewell. Five companies also of the 2d bat. 25th N.I. had marched direct from Chicherowly through Saharanpore for Meerut.—(*Beng. Hur. Nov. 28.*)

Muttra, 9th Nov.—The disturbances on the north-west frontier have been completely settled, and the 1st reg. cavalry and 2d bat. 12th N.I. have returned to Muttra. The company of artillery commanded by Capt. Curphy proceeded from Delhi to Rewarre in progress to Ajmere, where the grand cantonment for Rajpootana is to be formed. Twenty lacs of rupees from Cawnpore have just arrived (Agra) in progress to Ajmere and Delhi, and are to be dispatched immediately. A fine battering train of artillery, with ammunition and stores complete, is now under preparation, and will be sent off to Ajmere before the end of the month.—(*Ind. Gaz., Nov. 22.*)

Accounts from Malligaum in Kandeish, of the 18th Nov. state that the 14th Madras N.I. arrived there on the 16th inst., in a very sickly state, and had lost a number of men, and that they are to remain there till further orders.—(*Bom. Gaz., Dec. 2.*)

A letter just received from an officer of the 14th reg. N.I., stationed at Midnapore, contains the following information:—"A partial relief of the army is about to take place; we are under orders to proceed to Barrackpore; five companies of the 1st batt. 11th reg. N.I. will march on the 5th proximo to Barrackpore, where they will arrive on the 15th; the other three companies will follow shortly after."—(*Bomb. Cour. Dec. 26.*)

**REVIEW OF THE RESULTS OF THE CAMPAIGN.**

One chief only of the Mahratta nation remains, who can be called independent. That chief (Dowlut Rao Scindia) has been compelled by circumstances to pursue a course quite contrary to both his personal and national feelings, and he seems now perfectly sensible of the ruin he has escaped by doing so. Raised into importance by the fall of others, he will not venture upon hostilities with a government with whose means of destroying him he is so fully aware. The orders he has lately given to his amildars in the west of Malwa, to attend to all the commands of Brig.gen. Malcolm, and to keep agents at his head quarters, the attention paid to these orders, the solicitations made for our aid in the settlement of disputes, and the suppression of petty rebellions in Scindia's districts, combined with the character of that intercourse which we hear has of late subsisted between that prince and the acting resident, Capt. J. Stewart, appears to put

an end to all apprehension of his going to war. The loose nature of rule, and the actual condition of his country is such, that this event would seem difficult to be avoided, unless he reposes (as at present he seems much inclined to do) more confidence than he did before in the aid and friendship of the British government.

The territories of Mulhar Rao Holkar have enjoyed uninterrupted tranquillity since the peace of Mundipore, and are rapidly recovering their prosperity. Nothing can wear a better prospect than our connection with this state at present; and besides the possession of Candeish, the advantages it has given us already in the prosecution of our efforts to settle the country are very great.

Appah Sahib, ex-rajah of Nagpore, who unfortunately made his escape from the officer entrusted with his person, continues amid the Maha Deo hills to keep alive a spirit of hostility among the inhabitants of that quarter: the destruction of Capt. Sparke's party gave a momentary triumph to his adherents, but that impression has been completely dispelled by the late brilliant successes of our detachments. There are some hopes, from an overture Appah Sahib made to Brig-gen. Malcolm, that he may give himself up and proceed to Hindostan, where we understand Lord Hastings has offered him a liberal provision. If he does not, his obstinacy may disturb the tranquillity of the country for a short time, and protract a petty harassing warfare; but both his personal character and means are too contemptible to cause, under any circumstances, serious danger or extended war.

The Rajpoot states in Malwa have undergone so wonderful a change, that they hardly yet appear to know whether they are awake or in a dream. The great impression, however, of our actual power, and the strong recollection of the oppression of the Mahrattas, from which we have relieved them, may be relied on as motives to prevent their entering into any combination against us; while the example of numbers of this class, who have benefited in the late war, will act as the strongest incentive to make them zealous allies of the British government, in the event of another rupture between it and any other state.

Not a musket has been fired in the western parts of Malwa for four months. The province of Soundwarrah, which was settled in May, not only remains in a perfect state of tranquillity, but its freebooters, who have so long been the scourge of Malwa, have accepted pardon and become cultivators. The same change has been effected in most of the plundering tribes near the Nerbudda; and there is every prospect, that the tranquillity of that

quarter (which has long been the very vortex of anarchy,) will not be again disturbed.

An impostor, calling himself Mulhar Rao Holkar, supported by some Arabs and discontents, has been endeavouring to disturb the tranquillity of the country, and has collected a few troops in the wilds and jungles of Pertaubghur; but the advance of our detachments in that direction, and the decisive measures which have been adopted by Brig-gen. Malcolm, will, we have little doubt, soon oblige his followers to disperse and take refuge in their jungles.

The Pindarries are completely annihilated; Seeton is the only chief who has not given himself up, but he is completely shut out from Malwa. He has just left the Santporah range of hills with about 60 horse, and is gone to Jolu Appah Sahib in the Maha Deo hills.

There has, I understand, been a great assembly of rajahs and chiefs in Gen. Malcolm's camp; among others the famous Nadir Bheel, who has long plundered that quarter, came in. The day after his arrival at Mhow, some other bheels plundered three or four bullocks and horses; he immediately, in compliance with Gen. Malcolm's request, dispatched some of his people to discover the perpetrator of this outrage, and the following day they returned with the head of the person borne in a net by his relation, who was made to present it to the general as a nuzzur.

You may suppose that they do not anticipate such serious work at Mhow, as they are all busily engaged in reviews, and in preparing for the races, which will take place early next month. They also look daily for the arrival of Holkar's court at Indore, which it is expected to reach on the 1st or 2d of Nov."—(*Ind. Gaz. Nov. 16.*)

#### SCINDIA'S TERRITORY.

Scindia's territory is in a state of great anarchy, his troops mutinous, and nothing but insubordination and disorder prevail throughout. He seems quite incapable of remedying the abuses of his government, and it is supposed must take a subsidiary British force to preserve the little authority that remains to him.—(*Ind. Gaz. No. 15.*)

[And see, below, "Districts of Bundelcund and Saugor," *Gurra Kota.*]

#### HOLKAR'S TERRITORY.

A small body of Arabs have got into Holkar's territory, and are raising disturbances on the southern frontier of Poddypore. Capt. Caulfield with a small force is gone in quest of them.—(*Ind. Gaz. Nov. 22.*)

#### BAJEE ROW.

Bajee Row marched from Mundipore Aug. 22 for Hindostan, accompanied

by Lieut. Low, deputed by Sir J. Malcolm to conduct him to his destination; the escort consisting of a bat. of the 19th N. I. and 14 risalahs of Skinner's horse, under the command of Maj. Innes of the former corps.—Few of Bajee Row's own troops accompanied him to the north of the Nerbudda, and the greater part of those who did proceed so far have since received their discharge. On his arrival at Mundipore he was attended by about 200 foot and 4 or 500 horse in his own pay, and these were diminished to the number requisite for guard and purposes of state.—Bajee Row will proceed via Ajmeer to Muttra, whence he will repair to the place fixed upon for his future residence in the Company's provinces. He is accompanied by his family and domestics, but by no chief of the late Poonah state.

Calcutta, Dec. 1.—No accounts of the arrival of Bajee Row at Muttra have yet been received. On the 10th Nov. he was at Koonhair, in the district of Bhurt-pore, after a tedious march of nearly three months from the time of quitting Sir J. Malcolm. The delay seems to have arisen in part from the severity of the rains, by which two rivers on the route were rendered impassable for a time, and from the occurrence of particular days of unhappy omen, and especially during the great Mahratta festivals which happened to fall within the period mentioned. These festivals are well known to be very numerous, and the slow progress of the escort testifies strongly how liberally the prejudices of the captive chief have been indulged, without recalling to mind the treacherous part he had acted in the strength of his power.—Our correspondence enables us to disprove some idle rumours that have been published respecting the appearance and retinue of this misguided man; the general expression of his countenance is said to be not majestic, and his followers, according to our letters, are not mounted on horses richly caparisoned, with standards and punkahs, and golden staffs! This splendid description might suit his processions in former days, but at present his standards are said to be like those of an English fair, and the trumpets of his attendants not very superb or harmonious. Bajee Row looks to be about three or four and forty years of age.—The detachment in charge of his person appears to have seen scarcely any thing worthy of notice during the march, excepting the fortress of Cheitoregurh, so much celebrated in the history of past ages, and classed by the natives as one of the four impregnable strongholds in India. It occupies the entire top of a lofty hill, which is about 8 miles in circumference, is strong by nature and art, but the works seem to have been neglected of late years, and the ancient buildings on the table land are

running fast to decay. The wretched state into which these provinces had fallen, is, we understand, scarcely to be conceived at a distance, and in the midst of fertility.—The province of Bhurt-pore is represented as exceedingly luxuriant in vegetation, and appears like a garden. After the mournful desolation of Rajpootana this happy change to the escort must have been quite refreshing.—Bajee Row is expected to arrive at Muttra about the 20th Nov., where he has the permission of government to remain some time for the purpose of performing religious ceremonies, &c. He has about 1200 followers mounted and dismounted, a battalion, and one of Skinner's corps. After he passes down, Scindia's pilgrimage to that place is expected to take place.

#### APPA SAHIB.

Letters from Nagpore announce the capture of Ambaghur, on the 24th Sept., by escalade, and, owing to the alarmed state of the garrison, without the loss of a man. This fort, which had been treacherously given up to the enemy, is of great strength, 600 feet above the plain, and defended by several large guns and wall pieces. Lanjee and Huttah have been quietly given up to us.—On the 20th inst. an affair occurred which reflected great credit on those concerned. Accounts having been received of two parties of Arabs and Gonds being in the hills near Bakoor, Lieut. Cruickshank of the Bengal N. I. set out in pursuit of them with 180 sepoy, 42 troopers, and 80 Rohilla cavalry, of the Beitoool detachment, and found they had taken post at the entrance of a valley, to the amount of 1200 Arabs, 150 Hindoostances, and 150 Gonds. He charged them immediately, and such was the shock, that 250 or 300 of the enemy, chiefly Arabs, were killed or wounded. After setting fire to the place, blowing up the magazines, &c. they followed the other party who fled to the hills, leaving us in quiet possession of their village and stores. Our loss was 1 officer (Lieut. Lane), 2 sepoy, and 3 troopers, wounded; 4 horses killed, and 4 wounded.—The affair of Comptah, the escalade of Ambaghur, and this brilliant exploit of Lieut. Cruickshank, cannot but have the happiest effect in this part of the country; indeed, they are already manifested in such a degree, as to render Gen. Doveton's proposed movement unnecessary.—(*Bom. Gaz. Oct. 14.*)

We have received letters from the camp at Nagpore, of 31st Oct., which state that apprehensions were entertained there of Appa Sahib's endeavouring to throw himself into Asseerghur, previous to the troops undertaking the siege of that fortress. An officer and a small party from



Husseinabad had been sent out, it was supposed, for the purpose of intercepting him if the ex-rajah should move to the westward. All the troops in these provinces were suffering dreadfully from the effects of a malignant jungle fever, and they had already lost some valuable young officers.—(*Cal. Jour. Nov. 17.*)

Nothing of moment has recently taken place at Bictool; now and then an unfortunate dawh-man is found murdered by the Goands. A ludicrous circumstance occurred lately in that quarter. An officer, accompanied by two sepoys, was proceeding from Bictol to Husseinabad, when, at dusk, in a narrow part of one of the passes, a man was seen in front, as if standing to watch and waylay the party. The sepoys challenged him, and on receiving no answer to their repeated demands of, "who's there?" one of them fixed his bayonet and charged the supposed spy. The sepoy was soon convinced of the harmlessness of the unmoving Goand, who had already been disposed of, being hanged, with his toes just touching the ground. The wretch had been thus justly punished for having murdered a hurkaru belonging to our troops.—(*Govt. Gaz. Dec. 11.*)

Col. Adams broke ground from Husseinabad the 22d ult., with several detachments, and proceeded towards the Deo Puhar hills. At daylight on the 25th, Lieut. Brandon, in command of a detachment, arrived at Chowgaon, where he found the enemy strongly posted on the heights commanding the village, to the number of 2 or 300 men. Lieut. Brandon immediately attacked this force, which he succeeded in defeating with considerable slaughter, driving them from height to height, and dispersing them in all directions. Upwards of 200 were killed, and a great number wounded. Among the former, one of the deserters from the 22d reg., a Brahmin, was recognized.—At Chowgaon, Lieut. Brandon was joined by three risalahs of Capt. Roberts' horse. Our loss was trifling, amounting only to one man killed and four wounded. Lieut. Brandon proceeded immediately after the attack to the relief of the fortress of Chawnaghur, and arrived there on the same day. Howdahs, or cradles, have been prepared by Col. Adams for the reception of the guns to be carried on elephants, which will greatly facilitate the passage of our troops through the ghauts and fortresses, should the enemy attempt to defend them.—The Rohillah horse had behaved in a most gallant manner in an affair with the enemy on the 24th, the particulars of which have not yet reached us.—(*Cal. Govt. Gaz. Dec. 17.*)

It is expected that general prize property, captured in that quarter during the late campaign, will be very considerable;

and, with regard to the Chaudah donation in particular, sanguine hopes were entertained by the officers entitled to share in it of its being very handsome.—(*Cal. Monthly Jour.*)

#### RAJPOOTANA.

Sept. 17.—The tribes of Battees and Shekhawuttees, which owe tribute and military service to the Rajah of Jypore, have lately given some trouble. As the detachments proceeded to the northward and westward the inhabitants fled, leaving their mud forts and walled towns to be taken possession of by our troops. Several of the Thakoors continue refractory, and are struggling to throw off all connexion with Jypore. The Battees are said to be remarkable for carrying on their depredations on foot, and still more so, for the length and rapidity of the incursions thus made. Against such a tribe no honour can be gained in the field, but the principal inhabitants may be compelled to adopt pacific measures, and acknowledge the established authority. Some of the chiefs on the eastern borders of the Sutledge appear to have been promoting a disturbance, and Brig Arnold has directed a detachment of cavalry and artillery to march to the northward for the purpose of restoring tranquillity.—(*Cal. Month. Jour. Oct.*)

Camp at Misreeda, November 2.—The force arrived at this place of encampment on the morning of the 25th Oct. and were suffered to come within 400 yards of the walls of the fort, without being molested by the enemy. They immediately commenced operations, by preparing materials for batteries, which were opened on the morning of the 29th. The breaching battery consisted of two 18-pounders and two 12-pounders, iron; two brass 12-pounders were opened against the defences; and there was besides a mortar battery, consisting of two 8 and two 5½ inches mortars, with two 5½ inches howitzers. The howitzers were fired with an elevation of 30 degrees, which was done by taking out the elevating screw, and placing a small quoin under the breach of the howitzer; this answered admirably at the distance they were, (about 400 or 450 yards). They commenced about sunrise, and at sunset had made the fort so warm that they surrendered unconditionally. This fort surpasses in strength all the others in this part of the country: it has an inner and an outer fort, with a very broad ditch and rownee to both; the inner fort is very small, but both this with the ditch and rownee are puckha; the outer fort, ditch, and rownee, are kutchha; both ditches are wet, and very deep. The casualties have entirely fallen amongst the sepoys; two died from their wounds,

the remaining five or six are in a fair way of recovering. The outer fort which the force were going against (Zadah) has since surrendered.—(*Mad. Cour. Dec. 15.*)

The Joudpore state is in great anarchy, but Sir D. Ochterlony, at the earnest request of the rajah, is shortly to proceed to regulate the affairs of that distracted country.—(*Ind. Gaz. Nov. 15.*)

The whole of the Takooors in the Jeipore country have at length been brought into subjection to the rajah, and all is peace and quietness in that quarter; this promises fair to continue.—(*Ibid. Nov. 22.*)

In Rajpootana the lands begin to revive, though a few months ago nothing was to be seen but the 'silent waste' and the depopulated and ruined village. Now the thatch is to be observed. There are very few villages wholly destitute of inhabitants, and many, with the small towns, tolerably filled. It must however be remembered, that Rajpootana has not to recover from a sudden shock, but from the unsparing and terrible destruction of years.—Visitors to Jypore describe that city as truly magnificent. No capital in India, they say who have seen many, can be justly compared to it. The houses are all of stone, and one street, of noble width, which is extraordinary in India, is said to be nearly two miles long; the population great and increasing. Grain is still dear in the province, and must necessarily be so, as the growth is not equal to its consumption, and the land carriage from other districts of course considerably increases the price. Wood is very scarce; there is, in fact, hardly any fit for the purposes of building, and Agra is the nearest place where it can be procured. In consequence, even the villages in that quarter are generally built of coarse stone, brought from the hills in the neighbourhood; the roofs are often of the same material, and when of thatch, twisted grass forms the rafters.—The accounts of the disturbed state of Rajpootana are refuted in our letters. The whole of that province is said to be enjoying at present the repose which it requires. The Thakooors, who during the late distractions appear to have adopted rather the cause of the marauders than of their rajah, by making his forts their own, have successively surrendered to Col. Butler's detachment; not however without a regular attack on some of them, in which the artillery soon produced an irresistible effect, the infantry carrying the outworks.—Many of the forts in Jypore are built upon the hills, covering the town at their base, and sometimes on the slope of the ascent; a mode of security which does not appear to have been often effectual. The forts, with their towns, have something of a romantic aspect at a distance, but this is soon dis-

sipated on a closer view. The hills want all that beauty which such objects commonly give to a country. They are too low to partake of the magnificent, and too barren to be pleasing.—The most powerful illustration of the wretchedness and misery which have so long predominated, and in some degree still predominate, in Rajpootana, is the following fact, communicated by an eyewitness. The poorer classes have been constantly seen shifting what forms the fuel of happier provinces, in water, to serve as human food; the dung of horses and bullocks. On quitting the ground of encampment, hundreds of poor wretches have been observed resorting to this miserable expedient to support existence. What must then have been the state of the peasantry while the troubles in those provinces were at their height! A common observer in passing through Rajpootana might justly say, that had the British government done nothing more for India than rescue these provinces from the miserable condition into which they had fallen, our reign ought to be blessed. In this there is no necessity for any affectation of feeling or sensibility. It is easy to observe the important benefits, embracing the means of life, and even life itself, that have been conferred on so many thousands; and it is on subjects of this kind that a Governor-gen., who has promoted such truly glorious results, may dwell and rejoice with heartfelt pride and satisfaction.—(*Mad. Cour. Dec. 15.*)

#### JOUD SING.

Brig.gen. Arnold has got possession of Checherowley, which is about six marches to the north-west of Carnaul, and every thing is settled in that quarter; the chief was compelled to make restitution to the different persons whom he had unjustly deprived of their patrimony. He had engaged to do so before, but had continually evaded the actual fulfilment of his stipulation. He had been frequently warned that a force would be sent to compel performance, and that he would have to defray in addition all the expenses thereby incurred. The threat he could scarcely have believed as given in earnest, for he was not a little surprized on finding it carried into effect.—(*Ben. Hur. Nov. 28.*)

Joud Sing, the proprietor of Checherowley, is at Lahore, in the service of Runjeet Sing. He is spoken of as a very gallant soldier and is high in favour with that chief. He commanded the storming party at the late capture of Moultan, and a force is now preparing to proceed under his command against Cashmere, which it is supposed will become an easy capture in the present distracted state of the kingdom of Kabul.—(*Ind. Gaz. Nov. 15.*)

## SEIKI TERRITORY, AND NORTH-WEST FRONTIER.

The division which we left encamped at Hansi on the 26th of August, some days afterwards proceeded as far into the desert as Chooroo; the approach to which place was accompanied with circumstances of striking novelty. After passing a high ridge of sand, betokening nothing but sterility and silence in the neighbourhood, they were astonished with the appearance of a magnificent city, produced as if by enchantment in the centre of an extensive valley of arid sand. On reaching it they found it surrounded by a good wall of masonry, and very neat and well built within. The turrets and spires that raised their lofty heads to the view with the inclosing wall which hid the lower parts of the edifices, gave the whole a very grand appearance from without. The city had been plundered about eleven or twelve months ago by one of Meer Khan's sirdars, who not finding a sufficiency of merchandise and treasure to satisfy his rapacity, had carried off even the doors and door frames of many elegant houses. Perty Sing (the killedar) with his followers had abandoned the place the day before the division reached it, and a great number of the inhabitants had also taken to flight. The latter, however, had mostly returned before the division took its departure, which happened 3 days after.—Major Perkins was left to garrison the place, with six companies of the 2d bat. 29th regt., until the Bikaner troops should arrive, to whom it was to be delivered up. The inhabitants are extremely alarmed at the idea of this arrangement, and declare, that, if the town be given over to the Bikaner Rajah, they will emigrate in a body to Ramghur, a large town about 10 miles distant within the territory of the Jeypore Rajah. It would appear that the Bikaner people are equally averse or afraid to take possession; for although they have been several days encamped in the neighbourhood, Major Perkins has been unable to prevail on them to enter and relieve him. I suppose they are apprehensive that the inhabitants will rise upon them as soon as our troops march away, which by the last accounts they expected to do on the 1st Oct. The country people in that neighbourhood account for their unwillingness to return to their allegiance by describing the Bikaner Rajah as a cool and malignant tyrant, who, while he caresses and flatters with promises of favour and protection, will issue orders for the execution of those whom he thus amuses. They add, that few of them who have any property could expect to escape his vengeance, if they allowed themselves to be invaded into his

power.—Our last accounts stated that the cavalry had quitted the detachment on their return to their respective stations. The 1st regiment, however, was recalled a few days after, in consequence of some communication from the resident at Delhi, and awaited at Hansi the arrival of the troops, who reached that place on the 23d of last month. After halting there a few days, they continued their march to Kurnaul, from the neighbourhood of which our accounts are dated on the 6th Oct. They were to march into cantonments on the following day and encamp upon the parade. Reports were afloat that a still farther advance into the Sikh country was in contemplation, in order to enforce by their presence the fulfilment, on the part of those gentry, of some engagements which they appear desirous to evade. The insecurity of travelling in their country is indeed great, and while they are restrained by no scruples when plunder is to be obtained, they are equally insolent and inhospitable when nothing can be gained by exhibiting such a disposition. They refuse to troops marching through their country every kind of supplies, telling then flatly, that they will not afford any thing even for payment, as the shops in their towns and villages are established there for their own convenience and not for the supply of strangers.—(*Cal. Month. Jour. Oct.*)

Runjeet Sing, the Lahore chief, is gone against Cashmere, with sanguine hopes of getting possession of it, either by fair means or by force. Sujant-ul-Muluk has left his family at Ludiana, and is gone to make another effort for the throne of Kabul: and as there is no doubt but that Mahommed Shah is dead, he has a good chance of success at this time. If he succeeds, there is no doubt but he will endeavour to form a close connection with the British government, the only power whose interest it is to support his authority. This connection would open a wide field for commercial speculation, and an extensive market for Europe commodities, as well as for the produce of our Indian provinces. As I calculate that the Lahore state will fall to pieces on the demise of Runjeet Singh, these advantages may be available at no very distant period. The inhabitants all over India are now sensible of the benefits derived from British protection: 99 out of 100 receive our troops with open arms, and solicit protection against their former rulers. At Chooroo, and all the other places which we lately took possession of, this was the uniform demand made by the inhabitants. The mild, kind, conciliating conduct of all ranks of the Company's military officers to the natives, tends greatly to reconcile them to our government.—(*Ind. Gen. Nov. 22.*)

## DISTRICTS OF BUNDELKUND AND SAUGOR.

**Gurra Kota.**—Arjoon Sing, against whose power the division under Brig. gen. Watson has lately been directed, was formerly the independent proprietor of a considerable pergunnah in the neighbourhood of Saugor. To defend himself against the formidable encroachments of the Nagpore government, he some time ago was under the necessity of calling in the assistance of Scindiah, who ordered his officer, Baptiste, and a competent number of troops, to strengthen his means of resistance. The object being accomplished, Arjoon Sing ceded, according to previous agreement, half of his territory to Scindiah, and engaged to pay a large sum in money. Gurra-Kota is situated in the ceded portion of the district; and during the late agitations in that quarter he took advantage of the disaffection of the garrison, and brought them over to his own interests. Arjoon was not in the fort at the period of its capture.—(*Cal. Paper.*)

Gurra Kota was given up on the morning of the 30th of Oct. by its garrison, on condition that they should retain their arms. The mortars were opened on the 24th, and had continued firing day and night from that time till the morning of the surrender. The breaching battery opened on the 26th, and a breach was made which was to have been entered by storm on the morning of the 30th, had the place not been given up. The loss on the part of the besieging force was trifling, excepting only a dreadful accident which occurred in the mortar battery.—The division marched from Saugor on the 15th Oct., and arrived before the fort on the 18th. On the morning of the 20th a wall, distant about 350 yards from that of the fort, extending from the left bank of the Senaar river to the right bank of the Guddery, was taken possession of without opposition, which, with a mosque a few yards in advance of it, was retained with little annoyance from the enemy. On reconnoitring the fort, its position was found to be very strong; and the works did not present any weak point which was not well guarded by advantages in the natural defences. It became a great object to intimidate the garrison by a bombardment. A mortar battery was opened on the 24th in the presence of Brig. gen. Watson, from which almost every shell of the first round fell into the fort. To protect the workmen constructing the breaching battery, a battery of howitzers, and two small batteries, with six-pounders, were successively erected: but very few people showed themselves on the works to annoy the pioneers. On the 26th at day-light, the breaching battery opened, on which had been mounted during the night two 24-pounders, four 18-

pounders, and two 12-pounders. Both batteries kept firing briskly for half an hour, when an accident of a lamentable nature occurred. A 10-inch shell burst immediately on leaving the muzzle of the mortar, the fuze of which was thrown backwards on a tarpaulin which covered several shells made ready for the next round. The fuzes were set on fire, the shells exploded in rapid succession, and the battery magazine blew up with a dreadful explosion, though there were only two barrels of powder in it; the grand magazine being in a mosque at some distance. Five Europeans were killed, two mortally wounded having since died, two dangerously and two severely wounded. The number of natives involved in the casualty cannot be well ascertained, as some of the magazine lascars had deserted from the battery: but 10 killed and 14 wounded is supposed near the truth. It was three p.m. before the mortars were opened again. The breaching battery, however, kept up a constant fire all day, and the outer wall was levelled before sunset. Meanwhile the enemy opened a matchlock fire upon the mortar battery, which a shell or two from the howitzers, and a few rounds of grape from the 6-pounder battery, silenced. The inner wall, being of earth faced with stone, was more difficult to breach than the outer; and it was not until the 29th that a breach was judged to be practicable. The storm was ordered to take place at sunrise on the 30th; but fortunately during the night the killedar agreed to give up the place, on condition that the men were allowed to march out with their arms next morning. They gave two jemadarars as hostages. Meanwhile some traces of distrust and apprehension were visible on both sides. In case they should break their agreement, the troops ordered to storm were held in readiness. The frankness of our negotiators at length dissipated their fears, and the treaty was written out by one of their party. About half past seven a.m. the general marched out with lighted matches; when the general proved to them, by an act of generosity, that they had nothing to fear. He went up to the killedar, shook hands with him, and caused it to be explained that he admired his perseverance in defending the fort, and that he and his companions had fought like brave soldiers. A safeguard was sent along with them for four miles, at their own request. They appeared to be a fine, stout, and determined set of men; their number about 500. Their loss could not be discovered. The number they reported to have had killed (four) is so small as to be incredible; several were wounded, but they would not remain behind their companions. There was not a single building in the

fort which had not been penetrated with shells; and the whole appeared a mass of ruins. All their magazines were bomb-proof, or they must have been blown up. One 12-pounder, one 4-pounder, and one 2-pounder brass, with some small iron guns, comprised the whole of their ordnance. (*Abridged from Mad. Cour. Dec. 15.*)

Arjoon Sing, the chief who had repossessed himself of Gurrah-kota, has sent his submission, and waited upon Brig.gen. Watson in camp. (*Cal. Jour. Dec. 1.*)

**Callinger.**—Letters from Bundelcund report, that an attempt was made in the night of the 10th Nov. to take the fort of Callinger by surprise. Information had been received on the evening, that a large body of armed men had come through the hills to the southward, and were encamped in the jungle about 3 coss from the fort: but as there was to be a large fair at Callinger on the following day, with assemblies of people from all quarters, it was concluded these people had come to the fair, and their real object was not suspected. About midnight, however, it was reported that 1000 jowars were plundering the town below, and had threatened to ascend by the main gate facing the town, which, as well as the opposite gate, was accordingly reinforced, and all appeared quiet. Nevertheless, about an hour afterwards, a firing was heard at the Punnah gate, where a part of 4 or 500 matchlockmen had succeeded, owing to the thickness of the jungle, in getting close to the gate. These people tumbled down again with all haste upon finding the guard so well prepared, and it is suspected they had entertained hopes of a very different reception from some traitors within, otherwise they would not have dared to ascend with such coolness and confidence. The havildar of the guard, in the town below, had left his post about 11 o'clock on that evening, and went up into the fort to make a report, as he pretended, and it is not known whither he has fled. It is said to have been ascertained, that Rhooth Sing, a state prisoner in the fort, had endeavoured to seduce this man to aid him in his escape; and it is believed that the report of the plundering in the town, and of the threatened attempt at the main gate, was merely a ruse de guerre, in order to draw the attention of the garrison towards that gate, while the Punnah gate, on the opposite side of the fort, was the real object of the premeditated attempt, and which the havildar intended to open for their reception, had not the reinforcement of both the gates, on the first alarm, defeated their stratagem. (*Eng. Mur. Nov. 23.*)

**Victims of Saugor.**—The gang of mountain robbers, who lately harassed the villages in the neighbourhood of Saugor, were accompanied by a considerable number of sebanders; they had previously committed some depredations in the southern part of Scindiah's territory. The plundering hordes of the district had been for some time passed harassing the ryots; but generally confined themselves to the Maharajah's country, until the 2d Nov., when they were daring enough to drive off the cattle from two of our villages. This outrage determined Lieut. Kingston, 26th N.I., to attempt to surprise them. He came upon their camp before they had notice of his approach, and immediately forming his 80 men, with the suwars on the flanks, advanced, intending to reserve his fire till it could be given with full effect. They stood not an instant; but moved off in the utmost confusion with all possible expedition, and their suwars being well mounted, were soon out of reach. Not less than 4 to 500 sebanders, and from 6 to 800 suwars, composed this force under Rajah Adjeet Sing of Ragoghur; but from the rapidity of their flight, a few only were killed, and some men and horses wounded. This adds another to the many proofs we already possess of the superiority of our disciplined over their ill-ordered troops, as well as of the zeal and alacrity which distinguish the gallant officers of our army. (*Cal. Prints, Dec. 5 and 11.*)

## CALCUTTA,

### Political, Official.

Fort William, 21 Nov. 1818.—With a view to obviate the inconvenience to which individuals have been subjected in England, by being charged with the full postage on letters received from European soldiers in India, in consequence of a 1d. not having been paid on each letter at the presidency from which they were dispatched, in conformity to the Act of Parliament; the Governor-gen. in council is pleased to direct, that the letters of European soldiers under this presidency, intended for dispatch to England, be forwarded by commanding officers of regts and corps respectively, in separate packets or bags, addressed to the post-master-gen. in Calcutta, and accompanied by a draft on the presidency paymaster, or regimental agents, for the total amount of postage due, which is to be recovered from the commanding officers of companies on the monthly settlements of accounts.

### CIVIL APPOINTMENTS.

Mr. C. Fraser, assist. to board of-commissioners in Behar and Benares.—Mr.

H. S. Boulderson, assist. to collector of Moradabad.—Mr. A. C. Floyer, do. Bundelcund.—Mr. R. Cathcart, do. Seharunpore.—Mr. R. Woodward, do. Agra.—Mr. J. Dewar, register of provincial court of appeal and court of circuit for division of Patna.—Mr. F. Clarke, assist. to the magistrate of the city of Dacca.—Mr. H. T. Owen, do. to do. city of Moorshedabad.—Mr. R. Walker, do. Allyghur.—Mr. J. Campbell, do. Hooghly.—Mr. H. S. Oldfield, do. to register of provincial court of appeal and court of circuit for the division of Moorshedabad.—Mr. J. Campbell, assist. to magistrate of Nuddeah.—Mr. G. J. Siddons, 1st. dep. collector of government customs and town duties at Calcutta.—Mr. R. Chase, assist. to secretary to board of revenue.—Mr. H. M. Pigon, register of zillah court of jungle Mehauls.—Mr. J. H. Barlow, register of zillah court of Backergunge.—Mr. G. J. Morris, assist. in office of register to the court of Sudder Dewanny Adawlut and Nizamut Adawlut.—Mr. A. D. Lindsay, first assist. to commissioners on the Nerbuddah.—Mr. E. W. Cockerell, second assist. to do.—Mr. C. Fraser, assist. to commissioner on the Nerbuddah.—Mr. E. Law, assist. to resident at Delhi.—Mr. A. C. Floyer, assist. to secretary to board of commissioners in Behar and Benares.—Mr. G. P. Thompson, register of the Suburbs of Calcutta.—Sep. 19. Mr. R. Heaslop, 2d but. 2d N. I., to officiate as surgeon to the residency in Maha Raja Dowlut Rao Scindia's camp, during the absence of Mr. Panton on furlough.

#### MARINE ESTABLISHMENT.

Capt. E. S. Ellis, marine paymaster and naval storekeeper.

#### MILITARY APPOINTMENTS AND PROMOTIONS.

Sept. 5. Mr. G. H. Rattray, ensign in H.M.'s 87th foot, admitted a cadet, and promoted to ensign.

*Promotions with reference to the arrangement for raising Volunteers for Service on the Island of Ceylon.*

Artillery. Lieut. C. P. Kennedy to be capt.lient.; Lieut. Fireworkers T. Sanders, and R. R. Kempe to be lieuts.—Infantry. Majors E. P. Wilson, Sir T. Ramsay, Bart., and G. H. Fagan, to be lieut.cols.—European Reg. Capt. J. L. Stuart to be major; Capt.lient. T. Watson to be capt.; Capt.lient. C. C. Smith to be capt.; Lieut. and Brevet Capt. G. Bolton to be capt.—1st Reg. N. I. Capt. Lieut. C. Taylor to be capt.; Lieut. D. Dowie to be capt.lient.; Ens. C. Binny (dec.) to be lieut.—2d N. I. Capt.lient. W. G. Mackenzie to be capt.; Lieut. and Brev. Capt. T. W. Broadbent to be capt.lient.;

Ens. J. Jervis to be lieut.—3d N. I. Capt. lieut. G. P. Wymer to be capt.; Lieut. and Brev. Capt. W. Decluzeau to be capt.lient.; Ens. J. Murray to be lieut.—4th N. I. Capt.lient. H. Cock to be capt.; Lieut. and Brev. Capt. J. B. Pratt to be capt.lient.; Ens. H. Templar to be lieut.—5th N. I. Capt.lient. T. Arbuthnot to be capt.; Lieut. and Brev. Capt. W. F. Wilson to be capt.—6th N. I. Capt.lient. G. W. Buttiaz to be capt.; Lieut. T. Oliver to be capt.lient.—7th N. I. Capt. lieut. R. Martin to be capt.; Lieut. and Brev. Capt. C. Frye to be capt.lient.; Ensign R. Rideout to be lieut.—8th N. I. Capt.lient. St. John Heard to be capt.; Lieut. M. C. Paul to be capt.lient.—9th N. I. Capt.lient. W. Kennedy to be capt.; Lieut. and Brev. Capt. T. S. Oliver to be capt.lient.—10th N. I. Capt.lient. A. Dunsmure to be capt.; Lieut. and Brev. Capt. T. U. Raban to be capt.lient.—11th N. I. Capt.lient. S. Hawthorne to be capt.; Lieut. R. L. Dickson to be capt.lient.—12th N. I. Capt.lient. B. Sissmore to be capt.; Lieut. and Brev. Capt. L. Conroy to be capt.lient.—13th N. I. Capt.lient. F. U. Gladwin to be capt.; Lieut. and Brev. Capt. A. Trotter to be capt.lient.; Ens. P. B. Fitton and H. D. Cox to be lieuts.—14th N. I. Capt.lient. R. B. Jenkins to be capt.; Lieut. and Brev. Capt. S. Swinhoe to be capt.lient.; Ens. T. M. Campbell to be lieut.—15th N. I. Capt. lieut. D. Crichton to be capt.; Lieut. J. E. Wallis to be capt.lient.—16th N. I. Capt. J. Durant to be maj.; Capt.lient. J. Hay to be capt.; Ens. T. B. P. Festing to be lieut.; Capt.lient. T. Owen to be capt.; Lieut. and Brev. Capt. J. W. Loder to be capt.lient.—17th N. I. Capt. lieut. M. C. Webber to be capt.; Lieut. and Brev. Capt. J. I. Gordon to be capt.lient.; Ens. J. T. Croft to be lieut.—18th N. I. Capt.lient. W. A. Yates to be capt.; Lieut. and Brevet Capt. F. Buckley to be capt.lient.—19th N. I. Capt.lient. J. McDonagh to be capt.; Lieut. J. Fleming to be capt.lient.; Ens. R. A. Mac-Naghten, and G. W. Bonham to be lieuts.—20th N. I. Capt.lient. J. Gordon to be capt.; Lieut. and Brev. Capt. J. Seppings to be capt.lient.—21st N. I. Capt.lient. J. B. Ridge to be capt.; Lieut. and Brev. Capt. G. Hunter to be capt.lient.—22d N. I. Capt.lient. T. J. Anquetil to be capt.; Lieut. and Brev. Capt. H. Maxwell to be lieut.; Ens. H. S. Brook to be lieut.—23d N. I. Capt.lient. C. Hardwicke to be capt.; Lieut. and Brev. Capt. J. N. Jackson to be capt.lient.—24th N. I. Capt. lieut. P. Brewer to be capt.; Lieut. and Brevet Capt. H. M. Wheeler to be capt.lient.—25th N. I. Capt. W. De Waal to be maj.; Capt.lient. J. Drysdale to be capt.; Capt.lient. B. Roberts to be capt.; Lieut. and Brev. Capt. J. E. B. Parke to be capt.lient.—26th N. I. Capt.lient. D.

Pressgrove to be capt. ; Lieut. J. Trelawny to be capt.lieut.—27th N.I. Capt. lieut. J. Anderson to be capt. ; Lieut. and Brev. Capt. T. Young to be capt.lieut.—28th N.I. Capt.lieut. R. T. Seyer to be capt. ; Lieut. and Brev. Capt. W. S. Webb to be capt.lieut. ; Ens. J. S. Parker to be lieut.—29th N.I. Capt.lieut. W. Skene to be capt. ; Lieut. and Brevet Capt. J. Hunter to be capt.lieut. ; Ens. W. Sargent to be lieut.—30th N.I. Capt.lieut. S. Land to be capt. ; Lieut. and Brev. Capt. W. Mackie to be capt.lieut.

Capt. Frye, 7th N.I. to be major of brig. to the troops of Agra and Muttra.

Sept. 4. Lieut. Forbes, of engineers, to be surveyor of embankments in territorial department.

Sept. 8. Major M. W. Browne, dep. com. of stores, and agent for 2d division of army clothing, having returned from Madras to resume the duties of his situation.

Sept. 12. Mr. J. Henderson, assist. surg. attached civil station of Calpie, to perform medical duties of civil station of Banda.

Sept. 15. Cornet H. Garstin to do duty with the gov. general's body guard.

Sept. 26. Lieut. W. Paterson, 30th N.I., to be district bar. master at Sangor.

Oct. 1. Capt. A. Lindsay, artillery, to be superintendent of the timber yard and gun carriage agency at Cossipore.

Oct. 2. Maj.gen. J. Garstin to command the engineer department in Fort William, and take his seat at the military board.

Oct. 3. The following promotions to take place :—Infantry. Maj. J. Weston to be lieut.col., vice Mabert, deceased.—20th N.I. Capt. H. Hampton to be maj. ; Capt.lieut. J. Seppings to be capt. ; and Lieut. C. Methven to be capt.lieut., in succession to Weston.

Oct. 10. *Ordnance Commissariat*.—Lieut.col. J. D. Sherwood to be principal commissary, and Maj. M. W. Browne to be principal dep. commissary. Capts. Parker, G. Swiney, J. Ferris, and W. McQuhae, to be commissaries. Capt. T. Chadwicke, Lieut. P. G. Mathison, and dep. commissaries R. Motherall, E. Moran, S. Chill, and J. Allen, to be deputy commissaries. Dep. commissaries R. Hurd, H. Babazon, and Pk. Brannon, to be assistant commissaries. Dep. commissaries J. Whale, B. O'Loughlin, and J. Edwards, to be deputy assistant commissaries.

Oct. 17. Promotions in the regt. of artillery, with reference to the augmentation authorized by the Court of Directors, Brevet col. and lieut.col. H. Grace to be col. of a bat. ; Majs. A. McLeod, C. B., E. W. Butler, and G. Pennington, to be lieut.cols. ; Brevet majs. and capt. J. Ahmsty, M. W. Browne, H. Stark, J. H. Brooke, and H. Faithful to be Majs. ;

Capt.lieuts. C. Harris, E. Pryce, W. Curphey, D. McLeod, H. L. Playfair, J. N. Forrester, G. E. Gowan, S. Pariby, J. Tennant, I. Pereira, J. Scott, C. Graham, G. Everest, J. Curtis, T. Lyons, C. E. O. Jenkins, J. Broadhurst, R. B. Fulton, T. Chadwicke, J. C. Hyde, S. Coulthard, E. Biddulph, and C. P. Kennedy, to be Capts. ; Lieut. Fireworkers G. Twenlow, C. G. Dixou, H. P. Hughes, W. Counsell, J. H. Middleton, J. D. Crommelin, O. Baker, J. S. Rotton, G. H. Rowlinson, L. Burroughs, C. R. Whinfield, J. T. Smoilt, T. N. G. Pennington, G. Emley, A. Thomson, J. G. Barnard, T. B. Bingley, R. Burrows, C. Patch, T. Montgomerie, E. R. Watts, B. Browne, H. Timmings, J. Paton, F. N. Price, T. Gray, and D. Æ. McKay, to be first Lieuts.

#### FURLOUGHS.

Mr. P. Cochrane, medical board, to Europe.

Lieut.col. J. M. Johnson, to Europe.

#### COLLEGE OF FORT WILLIAM.

The Governor General in Council has caused it to be officially announced, that any student who does not avail himself of the means of instruction afforded by the college, or who from expensive habits or misconduct does not receive the benefit intended by his attachment to the college, shall be removed from that institution to a retired station.

#### LOCAL AND PROVINCIAL.

*Monument to Mr. Seton*.—Oct. 13. The following gentlemen met in the Town Hall, for determining the most appropriate mode of testifying their respect to the memory of Mr. Seton's public and private character, viz. Mr. Colvin, Mr. Adam, Mr. P. Stewart, Sir C. D'Oily, Mr. Robinson, Mr. J. Fraser, Mr. Palmer, Capt. Lockett, Capt. Austice, Major Taylor, Mr. Forsyth, Major McInnes, Mr. Dundas, Mr. Salmon, Mr. Larkins, Mr. Clarke, Dr. MacWhirter, and Mr. Trotter.—Mr. Colvin having taken the chair, the meeting formed itself into a committee, at which the following resolutions were unanimously passed, viz.—1. That permission be solicited from the proper authorities, to erect in the cathedral church of Calcutta a mural tablet to the memory of the late Arch. Seton, Esq.—2. That Sir C. D'Oily be requested to furnish an appropriate design for the monumental tablet, and to forward it for execution to one of the most eminent sculptors in England.—3. That the inscription shall be in English, and that the committee shall consider and determine upon the most appropriate draft which may be submitted to it.—4. That to meet the expense of this monument, a book be

opened for the receipt of subscriptions, and that Mr. Colvin be requested to act as treasurer.—5. That copies of these proceedings and of the inscription be transmitted to the late Mr. Seton's friends in Great Britain, to whom such a testimony of regard cannot fail to prove gratifying.—6. That copies of the resolutions be forwarded to Prince of Wales' Island, to Delhi, Patna, Gya, and Bareilly, to enable the friends of the late Mr. Seton at those places to join in the objects of this meeting.—7. That these resolutions be published in the Government Gazette.—The Chairman was then requested to wait upon his Exc. the most noble the Marq. of Hastings, with a copy of the proceedings.

*Confirmation.*—Aug. 29, a confirmation was held by the lord bishop at St. John's cathedral, when nearly 300 persons were confirmed.

*Exchange.*—Dec. 22. The Zenobia has brought from Manilla a large and seasonable supply of specie, which will be found highly acceptable at the present moment, and relieve, we hope, the demands of the money market.

*Present of a Sword to Col. Cumberlege.*—The following letter from the officers of the 2d batt. 2d reg. Bengal N.I., dated Agra, 28th Aug. 1818, well describes the occasion on which this memorial was voted.—“Dear Sir: On the occasion of our approaching separation, we beg leave to convey to you a testimony of the high estimation in which we have regarded your character, both in public and private life, during the long period you have held the command of the corps to which we belong; and to commemorate the sentiments of esteem we entertain towards you, we have respectfully to request your acceptance of a sword, to be presented in our name by Capt. John Duncan in London. To our unfeigned feelings of regret at your departure, we beg leave to add our earnest wishes for your happiness; and bidding you farewell, we have the honor to remain, &c.” (Signed by every officer present with the corps.)

*Extensive Forgery.*—A forgery has been committed on the bank of Bengal to the amount of 500 sicca rupees; we do not learn that more than one note for that amount has been yet received. The forgery was discovered in the following manner: a respectable house in Calcutta having occasion to make a considerable lodgment of cash in the bank of Hindostan, paid in, among other notes, the one in question, which was, a few days afterwards, tendered at the bank of Bengal, when it was ascertained that a note of the same number and for the same amount was already in their possession. An inquiry in consequence took place, and on application being made to the

police, two of the magistrates attended to investigate the business, at the house of the parties who had paid the cash into the bank of Hindostan. For some time no information could be obtained from whom the note had been received, as the sircar had neither endorsed it nor written the number in the books at the time of payment. He, however, at length recollected, from some circumstance which had impressed itself on his memory, the person who had paid it to him. This person, we understand, afterwards underwent an examination at the police office; but how far his testimony is likely to lead to the discovery of the forgeries, we have not been able to ascertain.—(*Ind. Gaz. Dec. 7.*)

*Theatricals.*—Sept. 5. The managers of the Chowringhee theatre have resolved on reducing the prices of admission from 12 to 8 rupees the boxes, and 6 to 4 the pit. This arrangement will no doubt meet with universal approbation.

*Miscellaneous.*—Sept. 8. After several weeks of boisterous weather, a great fall of rain was experienced about Patna, which in some degree moderated the atmosphere. Great damage has been done among the boats proceeding upwards and downwards on the river. A few days since a large pulwar was upset off Buxar, from which only one man was saved. We understand that the superb carriage built by Messrs. Stenart and Co. as a present from Government to Runjeet Sing, was on board of it. That excellent institution the River Insurance Company will, we fear, suffer much this season; it has taken some considerable risks, and has already paid some heavy losses.

*Extract letter from Mooradabad, Sept. 18.*—“For the last month, the thermometer has generally stood between 76° and 80°, never above the latter mark, and today at 73°. The rains have been very heavy this season, and promise to produce the most abundant crops of every description that have been known in the memory of the present generation. Cotton and sugar-canes are particularly luxuriant, and the price of the former is likely to fall to 6-8 and 7 rupees per maund: the only danger is, that the supply will be so great as to overstock the market. The high prices of late years have offered so great a temptation to the agricultural class, as to induce them to sow cotton almost exclusively, and the country is nearly one cotton-field.”

It is said that the price of indigo has increased in the Calcutta market; and that masters of a good quality, lately exhibited at the exchange, have been priced from 190 to 200 rupees per maund.

Dec. 9. Arrived the Topaz frigate, Capt. Lamley, bringing £150,000 in specie. This, with other importations from Eng-



land, and some from China, may relieve the difficulties under which the mercantile world had been labouring.

Mr. Carter, 2d officer of the Union, and Mr. Parsons, midshipman of the Phoenix, were drowned by the upsetting of a boat in which they were sailing, on Sunday, 6th October.

## BIRTHS.

Aug. 16, at Cawnpore, Mrs. R. Jones, of a daughter.... July 13, at Malda, at the house of G. Chester, Esq. the lady of N. M'Leod, Esq. C.S., of a son.... 23, at Mirzapore the wife of Mr. J.W. Miller of a son.... 30, Mrs. Fielder, of a daughter.... 31, at Sealdah, the lady of Jos. Nicholson, Esq. of a daughter.... Aug. 1, at the house of C. Elliott, Esq. the lady of M.T. Whish, Esq. of a son.... 2, at Sultaupore, the lady of Lieut. Williamson, 2d bat. 21st N.I. of a son.... 4, the lady of W. Ainslie, Esq. presidency surgeon, of a son.... 9, at Bel-sund in Tirhoot, the lady of Capt. Sherman, of a daughter.... 11, at Patna, the lady of W. P. Muston, Esq. of a daughter.... 15, Mrs. C. Hard, of a daughter.... 15, Mrs. Sharpe, of a son.... 15, Mrs. Henry Martindell, of a son.... 15, at Deenajpore, the lady of H. W. Money, Esq. civ. ser., of a son.... 20, at Benares, the lady of Lieut. V. Jacob, 1st Bat. 3d N. I. of a son.... 20, at Malda, the lady G. Chester, Esq. commercial resident, of a daughter.... 23, Mrs. Sumners, of a daughter.... 26, at Ganzeepore, the lady of Capt. Hallhide, H. M. 17th reg. of a daughter.... 27, at Chouringhee, the lady of R. P. Nisbet, Esq. civ. ser. of a daughter.... 28, at Dum Dum, the lady of Capt. S. Parby, Artillery, of a son.... 30, at Chowringhee, the lady of Major H. Faithful, of a son.... 31, Mrs. J. Vallente, of a son.... 31, Mrs. W. Richards, of a son.... 31, the lady of Gordon Forbes, Esq. civ. ser. of a daughter.... Sept. 1, the lady of G. E. Law, Esq. civ. ser. of a daughter.... 2, at Agra, the lady of E. W. Blunt, Esq. of a son.... 2, at Allahabad, the lady of Lieut. Col. Fetherstone, of a daughter.... 6, the lady of J. Dunbar, Esq. of a daughter.... 6, at Berhampore, the wife of Mr. Arch. Cameron, conductor of ordnance, of a daughter.... 10, at Sulkeah, Mrs. Garland, of a son.... 12, at Fredericksnagore, the lady of Mr. J. G. Adels, of a daughter.... 12, in Fort William, the lady of Lieut. col. Walker, dep. adj. gen. at Ceylon, of a son.... 12, Mrs. Wm. Patton, of a daughter.... 14, Mrs. Sevestre, of a daughter.... 15, at Allahabad, the lady of Capt. Wm. M'Quibae, of a daughter.... 15, at Caunpore, the lady of Capt. Irwin Maling, of a son.... 16, the lady of Capt. G. Hunter, sub-assist. com. gen., of a daughter.... 17, at Begumpur, the wife of Mr. C.A. Lopes,

indigo planter, of a son.... 19, Mrs. John M'Arthur, of a son.... 21, at Cuttack, the lady of M. H. Turnbull, Esq. of a son.... 21, the lady of Wm. Scott, Esq. attorney at law, of a daughter.... 22, at Allipore, Mrs. Price, of a son.... 24, the lady of Jos. Watts, Esq. of a daughter.... 25, at the house of her father, Mr. A. Rowland, Mrs. E. Vandenberg, of a daughter.... 25, at Barrackpore, the lady of Capt. C. Watson, of a daughter.... 25, at Banda, the lady of Capt. A. T. Watson, of a son.... 29, the lady of J. Macwhirter, Esq. M. D. of a daughter.... 30, Mrs. Dickson, relict of the late F. R. Dickson, of the firm of Christie and Co. of a daughter.... 30, Mrs. J. Llewelyn, of a daughter.... 30, on board the Sovereign, the lady of Lieut. Boys, H. M. 21st lt. drag., of a son.... Nov. 23, at Garden Reach, the lady of R. W. Poe, Esq. solicitor, of a daughter.... 23, at Chowringhee, the lady of Lieut. col. Smith, 18th N. I., of a daughter.... 24, at the Presidency, Mrs. T. Swinden, of a son.... 25, Mrs. Urquhart, of a son.... 29, Mrs. J. Turner, of a daughter.... Dec. 13, at the Presidency, the lady of Capt. W. Arrow, master attendant's office, Calcutta, of a son.... 21, the lady of W. Mackenzie, Esq. surg. to the governor's body guard, of a son.

## MARRIAGES.

July 21, Mr. E. Harris, pilot service, to Mrs. Mary Evans, relict of the late Mr. S. Evans.... Aug. 1, Capt. Brook Kay, H. C. S. Marchioness of Ely, to Miss M. Bruce Barclay.... 10, at Meerut, Capt. W. P. Cooke, dep. judge adv. gen., to Fanny, daughter of the late T. Stuart, Esq. of Mauritius.... 12, at Benares, W.W. Bird, Esq. judge and magistrate of that city, to Hannah Elizabeth, daughter of the late Rev. D. Brown, sen. chaplain Fort William.... 15, Mr. Lewis Da Cruz, to Miss Hans.... 20, R. Ware, Esq. civ. ser. to Miss E. W. Barnett.... 25, Mr. S. Williams to Mrs. N. Coorah.... Sept. 1, Mr. L. Rebeiro to Mrs. A. Couto.... 1, at the mission house, H. A. Williams, Esq. resident at Malda, to S. Lydia, eldest daughter of the Rev. Dr. Marsham, of Serampore.... 1, at St. John's Cathedral, T. Bracken, Esq. to Rebecca, only daughter of the late H. Sewell, Esq. of Madras.... 8, Mr. G. Gill, to Miss M. Pereira.... 12, Mr. John Foster, ship builder at Howrah, to Miss Miche.... 26, Mr. J. Miller Robins to Miss M. A. Snider.... Nov. 10, at Futtyghur, Lieut. A. B. Wortham, 2d bat. 3d N. I., to Miss F. Mullins.... 27, at the presidency, Mr. N. Bailie to Miss E. Rymer.... 28, Capt. J. W. E. Taylor to Miss L. Burlin.... 29, Mr. J. Scratchley to Miss C. Lemousin.... 29, Mr. H. A. Elliott, to Miss C. D'Oliveira.... 30, T. E. Baker, Esq. assist. surg. to Miss E. Ford.

## DEATHS.

About the end of *Feb.* 1818, on board the *Barrosa*, Lieut. J. Fletcher, 15th N.I. .... *March* 13, Sam. Hasleby, Esq. late of the Bengal civ. serv. .... *June* 14, at Mooradabad, on his way from Almorah, Capt. E. Carter, H. M. 8th lt. drag. .... *July* 2, at Berhampore, Mrs. Mary Bennett, wife of Mr. J. Bennett, conductor of ordnance. .... 5, Mr. James Kent. .... 6, at Bithoor, Arthur, infant son of D. Harding, Esq. civ. surg. Cawnpore. .... 6, after a few days illness, on board a budgerow, Mrs. Stuart, the lady of Capt. F. L. Stuart, A. D. C. to the Governor-gen. .... 8, the lady of J. Feudall, Esq. civ. serv. .... 15, at Fattyghur, the infant son of Major Lamb, commanding 1st bat. 26th N. I. .... 18, after a short illness, Capt. J. Dyson, H. M. 14th regt. employed on the staff of Brig-gen. Watson, at Saugor. .... 21, at Meerut, the infant son of J. H. Mathews, Esq. H. M. 4th reg. .... 29, coming down from Chinsurah, for the recovery of his health, Master Thos. Weston Bolst ... 21, at Allahabad, Mr. Jas. Hunt, dep. com. of ordnance, invalid establishment. .... *Aug.* 8 the infant son of Jas. Dunbar, Esq. H. M. 20th regt. of lt. drag. .... 10, at Berhampore, Miss Amelia Rickets. .... 12, the infant son of G. J. Siddons, Esq. .... 12, Mr. J. Gash, indigo planter. .... 12, the infant daughter of Mr. Patrick Moran .... 13, Capt. I. Harland, of the ship *Briton* .... 13, Capt. H. Oake, 29th N. I. .... 13, Capt. J. Ramsay, 21st N. I. late barrack master of Fort William .... 13, at Patna, in consequence of a fall from the nurse's arms, the infant daughter of the Rev. I. L. Williams. .... 15, infant daughter of Mr. Jos. Tirly, H. C. marine. .... 21, after an illness of seven days, the lady of Maj.-gen. Donkin, commanding that station. .... 21, Joseph Ephraim, Esq. .... 23, at Gwalior, Lieut. R. Vetch, 1st bat. 26th N. I. acting 2d assist. to the resident with Dowlat Row Scindia. .... 23, on board Mrs. Wauchope's boat, her infant son John. .... 25, Mrs. Isabella Sumners. .... 26, the infant son of Lieut. T. B. Malden, 9th N. I. .... 26, at Morsgunge, Henry, eldest son of Henry Imlach, Esq. .... 26, Mrs. Mitchell, wife of Mr. Thos. Mitchell, of Digah farm, near Dinapore. .... 27, of the yellow fever, Mrs. Damoulin. .... 28, Mr. Brose, late mechanic and scene-shifter at the Chouringhee theatre. .... 28, Mr. D. Barraud, an assist. in the secret department. .... 29, Mr. J. Duckett, coachmaker. .... 31, at Cossitollah, C. Mitchell, Esq. .... 31, at Garstin's buildings, R. Pearson, Esq. .... *Sept.* 1, J. O. Baylie, Esq. country ser. .... 1, A. Anderson, Esq. civ. ser. .... 2, at Chuprah, the infant daughter of J. Wemyss, Esq. civ. ser. .... 3, at Cawnpore, C. Russell, aged four years, eldest son of the late C. Russell, Esq. civ. ser. .... 8, Mr.

Barrow, second officer of the *Liverpool*, Capt. Green. .... 8, Mr. J. Eddington, Jun. .... 8, at Saugor, Lieut. J. Pickersgill, D. A. Q. Mast. Gen. .... 10, at Cawnpore, E. Heloisa, daughter of Capt. W. S. Gully, H. M. 87th regt. .... 10, at Tipperah, Ann, the daughter of Mr. A. Pinto. .... 12, at Intally, the lady of Mr. J. A. McArthur, acting general's office. .... 13, D. L. Girkka, Esq. formerly a maj. in the Mahratta service. .... 13, in Fort William, Ens. Lewis A. Robertson. .... 16, at the general hospital, Mr. J. Bardin, late commander of the brig *Calcutta*, Cuttack trader. .... 21, Mr. Benj. Arson. .... At Scrampore, the infant son of Mr. J. Lawrence. .... N. R. Gouldhawke, Esq. .... Late, at Cawnpore, after a short illness, A. F. Fortesquien, Esq. quarter master H. M. 21st L. D. .... *Nov.* 9, Capt. A. Black, 8th N. I. .... 20, at Chowringhee, Mrs. C. Bartlett. .... 30, Mr. E. Hollingberry. .... *Dec.* 15, at Scrampore, of the cholera morbus, at the house of Col. Meiselbach, Mary, only daughter of Dr. Richardson, 22d N. I. .... At camp, near Cottah Ghurrah, Mr. W. N. Comyn, apothecary to the artillery with Brig-gen. Watson's division of the army.

## MADRAS.

## CIVIL APPOINTMENTS.

Mr. T. E. J. Boileau, assistant to register to provincial court of southern division.—Mr. B. Horne, acting register to zillah court Trichinopoly.—Mr. G. Gregory, judge and criminal judge in zillah of Ganjam.—Mr. C. Woodcock, ditto of Guntoor.—Mr. F. De Mierre, head assistant to collector and magistrate in zillah of Cuddapah.—Mr. N. W. Kindersly, second ditto to ditto in zillah of Bellary.—Mr. B. Babington, assistant to Mr. Græme, deputed to institute the investigations of Malabar.—Mr. J. F. Lane, junior member of the Vizagapatam committee.—Mr. J. F. Thomas, secretary to the committee at Vizagapatam.—Mr. P. H. Strombom, French translator to government.—Mr. J. Forbes, judge and criminal judge of zillah of South Malabar.—Mr. A. D. Campbell, acting superintendent of police, and deputy Gentoos translator to government.—Mr. J. W. Russell, acting secretary to the board of revenue.—Mr. J. D. Gleig, second assistant to collector and magistrate of northern division of Arcot.—Mr. W. Thackeray, collector and magistrate of Bellary.—Mr. J. B. Travers, acting third judge of provincial court for southern division.—Mr. Robert Clive, ditto assistant to secretary to government in civil department.—Mr. D. Bannerman, acting superintendent of stationary.—Mr. Robert Clerk, and Mr. W. C. Gordon, provisional assistants to chief secretary to government in secret department.—Mr. C. W.

Woodcock, to conduct the suit on the part of the collector of Coimbatore, which was instituted against that officer by Causy Chitty.—Mr. W. French, acting register to zillah court of Salem.—Mr. G. M. Ogilvie, head assistant to collector and magistrate of Tanjore.—Mr. H. S. Græme and Mr. J. Forbes, commissioners for investigating conduct of Mr. C. Ellis, judge in the zillah of Canara.—Mr. B. Babington, secretary to ditto.—Mr. W. Sheffield, acting judge and criminal judge of Canara.—Mr. J. T. Austey, acting head assistant to collector and magistrate of Bellary.—Mr. W. D. Adamson, ditto of Guntoor.—Mr. J. Monro, acting and criminal judge of South Malabar.—Mr. F. Holland, acting head assistant to collector and magistrate of Malabar.—Mr. H. Mortlock, one of the cashiers of the the government bank.—Mr. W. T. Blair, assistant to accountant general.—Lieut. H. Fullerton, civil engineer.—Sam. Ibberston, Esq. sheriff of Madras.—Maj. De Havilland, assessor and civil engineer for the town assessment.—Mr. W. Hawkins, second judge of provincial court of appeal and circuit for centre division.—Mr. W. E. Wright, third do.—Mr. J. Dacre, judge and criminal judge of zillah of Chittoore.—Mr. J. B. Huddleston, Mr. H. Mortlock, and Mr. Strombom, commissioners for superintending government lotteries.

#### MILITARY APPOINTMENTS AND PROMOTIONS.

Lieut.col. J. Marshall, 14th N.I., to be hon. aide-de-camp to the rthou. the Governor.—Lieut. T. Bennet to be adj. 2d batt. artillery.—Lieut. B. Browne H. M. 25th drag., to be aide-de-camp to Brig. gen. Fritzler.—Artillery. Lieut. Fireworker A. D. Coull to be lieut.—Infantry. Lieut. col. Sir J. Malcolm, K.C.B. and K.L.S. to be col.—Maj. C. T. G. Bishop, 19th regt. to be lieut.col.—19th N. I. Capt. G. Hare to be major; Capt. lieut. A. Cook to be captain; Lieut. W. E. Fitzgerald to be capt. lieut.—Infantry. Lieut.col. J. H. Symons to be col.—Maj. A. Limmond, 15th regt. to be lieut.col.—15th N. I. Capt. J. Hall to be major; Capt. lieut. S. Towns- end, to be capt.; and Lieut. E. Bond to be capt. lieut.

#### COLLEGE OF FORT ST. GEORGE.

*Proficiency of Mr Morris.*—Extract 9 Para. of College Report, Dec. 15th, 1818.—“We had very lately occasion to bring under the notice of government the great and unprecedentedly rapid progress of Mr. T. C. Morris in the acquirement of the Telooogo language, and we also mentioned very favourably his progress in Hindustanee, in which, as well as Persian, he was tolerably versed previously to joining the institution. On 26th Oct.

this gentleman made good his claim to the first of the increased allowances; on 18th Nov. he established his title to the highest college pay; and we now have to report, that his progress in both the languages which he has studied, more especially in Telooogo, has been such, as within three months and a half from the period of his entering the college to rank him, as regards general merit, above all the students except the four above mentioned. In regard to rapidity of progress, Mr. Morris stands unrivalled on the records of the institution.”

Letter from the Board of Superintendence.—“The Board of Superintendence for the college of Fort St. George, on the 26th ult. submitted their opinion, that Mr. Morris had made good his claim to the first of the increased allowances, on account of his proficiency in the Telooogo language.—This gentleman having since obtained leave to select Hindustanee as a second language, applied for a special examination, with the view of making good his claim to the further allowance of 100 pagodas per mensem, and he was accordingly examined in Telooogo and Hindustanee this day.—The board, on Mr. Morris's admission into the college, reported that both in Persian and in Hindustanee his acquirements far exceeded the scale of proficiency in these languages usually attained by gentlemen at the period of their entrance into the institution, and that they considered him competent to the transaction of business in each.—Mr. Morris has since considerably improved his knowledge of Hindustanee, which he speaks with tolerable fluency, and translates both into and from that language with much propriety. In Telooogo this gentleman's progress has been unprecedentedly rapid; he has studied it little more than two months, yet he is thoroughly acquainted with the grammar, translates well Telooogo tales into English, explaining correctly petitions written in a tolerably fair hand, and translates even into the language so as to be intelligible to any native, although some errors, chiefly orthographical, are observable.—The board are of opinion that, by superior proficiency in two languages, Mr. Morris has most satisfactorily made good his claim to the highest allowance, which they feel great pleasure in recommending may accordingly be granted him.”

#### LOCAL AND PROVINCIAL.

*Inundations, &c.*—The fall of rain during the south-west monsoon has been unusually great; and the consequences highly disastrous to several of the provinces on the coast. The Caverry and Coleroon, which run through the Coimbatore, Trichinopoly, and Tanjore countries, have either overflowed or burst their

banks in several places, and considerable injury has been occasioned by the inundation, particularly in the Tanjore province, which is remarkable for its fertility in the production of paddy crops. The Kistna has also produced similar mischiefs in the Guntoor district, and it is expected that the revenues will be seriously deteriorated. An unusual quantity of rain had also fallen at Madras, about the middle of last month.—(*Cal. Month. Journ.*)

*Extent of the late storm, Nov.*—The storm of last month extended to a greater distance at sea than was supposed. The brig Griffin, Capt. Biscoe, from the Isle of France, was obliged to enter the river of Cochín, on the 3d inst. in consequence of a storm she experienced in the night between the 23d and 24th Oct. in lat. 9° 30' N. and long. 74° 40' east. The wind blew during twelve hours with great violence.

*Cholera, Nov. 17.*—The spasmodic cholera has extended its destructive and baleful influence to the southward. Pondicherry has received this calamitous infliction, and many persons there have fallen victims to it. The epidemic is considered to have disappeared at the presidency; and the extra public establishments have in consequence been discontinued. Some solitary cases may still occur; and as the dreadful malady seldom entirely quits a place at once, it is incumbent upon persons, natives in particular, to continue using the ordinary precautions.—(*Mad. Gov. Gaz. Dec. 10.*)

*Anniversary of Seetabuldee.*—The 27th Nov. was the first anniversary, and the commemoration of it was opened at Nagpore by laying the foundation stone of an elegant monument, to be erected by subscription, to the memory of the brave officers and soldiers who fell on the 26th and 27th, and whose names will be thus handed down to posterity. The ceremony was performed by the resident, Mr. Jenkins, a participator in the danger and glories of the two days, under a royal salute. In the evening an entertainment was given by the resident, Col. Scott, and the corps engaged in the battle, to the station, in a suite of tents fitted up for the occasion; and about 60 persons sat down to a sumptuous dinner. The hill of Seetabuldee was also brilliantly illuminated; and a Zeafut and Nautch were given to each of the corps present in the action.

*Anniversary of Mahidpoor.*—The presence of Sir T. Hislop gave an opportunity of celebrating the day of battle at the presidency, which was not neglected. On 21st Dec. the rt. hon. the Governor gave a splendid entertainment to a numerous party at the banqueting room. A circulating health to the Commander-in-chief

of the army of the Deccan and his gallant troops lent animated expression to heartfelt applause. The supper was followed by a ball.

#### BIRTHS.

*Nov. 13.*—At Quilon, the lady of Col. Sewel, of a son.... 15, at Vizagapatam, the lady of Capt. Miller, H. M. 46th reg. of a daughter.... 24, Mrs. L. Pascal, of a son.... 28, at Cuddalore, the lady of E. W. Stevenson, Esq. of a son.... 30, the lady of the Rev. E. Vaughan, sen. chaplain, of a son.... *Dec. 13.*, at the Presidency, the lady of Capt. F. N. Balmain, of a daughter.... 28, at Arcot, the lady of G. Baillie, Esq. superintending surgeon, of a son.... *Jan. 7.*, Mrs. Askin, of a son.

#### MARRIAGES.

*Oct. 24.*—At Trichinopoly, Capt. Edw. Jas. Foote, 7th M. N. I., and quartermaster of brigade, to Anne, eldest daughter of the late Peter Begbie, Esq.... *Nov. 8.*, at Hyderabad, Lieut. Spicer, adj. 2d bat. 8th reg., to the eldest daughter of the late Capt. Woodhouse, 7th L.C.... 30, at Waltair, near Vizagapatam, Hugh Montgomerie, Esq., civ. serv., to Jane, eldest daughter of Maj. gen. Rumley, commanding northern division.... Same day, at Waltair, near Vizagapatam, Benj. Droz, Esq., civ. ser., to Matilda, seventh daughter of the late Maj. gen. Wahab.... *Dec. 14.*, at St. Mary's church, Mr. Wm. Bruce, M. D., to Miss Lucy Jameson.... 21, John D'Urilla, Esq., to Miss Helen Frances Birtles.

#### DEATHS.

*Aug. 9.*, in camp, Ajuntah, Lieut. Gale, Madras European reg.... *Sept. 30.*, at Malacca, Thos. Jones, Esq.... *Oct. 13.*, at Samulcottah, Lieut. col. Jos. Storey, commanding 2d bat. 20th reg.... 16, at Hoobley, of the cholera morbus, Wm. Royal, troops rj. maj. of H. M. 22d lt. dragoon.... 24, at Nagpore, of the jungle fever, Mr. John Murray, attached to the dep. adj. general's office.... 27, in camp, at Mooltye, Lieut. H. Boulton, 16th N. I.... 29, in camp, west bank of the Moos-san river, Lieut. Jas. Anderson, Madras European reg.... 30, at Ellichpore, Capt. Lieut. E. Lyne, 1st L.C.... 30, in Gen. Smith's camp, Jos. Barrell, Esq., paymaster H. M. 22d dragoons.... 31, of the cholera morbus, Miss Maria La Fontaine.... *Nov. 5.*, at Masulipatam, Lieut. A. D. Coull, artillery.... 7, Mr. Thos. Moss.... 7, in camp, at Mooltye, of the jungle fever, Mr. Wm. Hart, 1st dresser, attached to the 1st bat. 16th or Trichinopoly, L.I.... 8, at St. Thomé, Elzab, the wife of Maj. E. Bagshaw, 25th N.I.... 10, in camp at Nowager, Capt. John Edmonds, 16th N.I.... 11, at St. Thomé, Lieut. John Winrow, H. M. 30th reg.... 12, in camp at Pyspoor, Lieut. Firework-

er Edw. King, 2d bat. artillery.... Same day, camp at Chowgaum, assist.surg. Samuel Christie, 14th N.I.... 14, camp at Mooltye, Capt. P. N. Cuffley, 16th N. I. .... 15, at Negapatam, Mr. G. W. Swarts .... 17, at the Garrison Hospital, Serj. W. Lev. 4, H.M. 30th reg.... 19, at Ellichpoor, Lieut. Alex. Tweedie, 2d bat. 6th N.I. .... 21, Henry, infant son of Henry Sewell, Esq. civ. ser.... 22, at the presidency, Theodosia, infant daughter of the Rev. C. Rhenius.... 23, at Trichinopoly, of the spasmodic cholera, Lieut. McPherson, H.M. 53 reg.... 21, at Pondicherry, Madame Maria Dehita.... 25, at St. Thome, Mr. Anth. Rodrigues.... 30, at Palamcottah, Matilda, infant daughter of Capt. Jackson, 2d bat. 7th reg.... Dec. 2, at Bellary, Duncan Clarke, barrack and arrack Godown serjeant.... 5, the infant son of Maj. Stevenson.... 10, at Arcot, Serj. Major John Lyster, H.M. 25th lt. drag.... Same day, at Hoobly, camp, G. Boyd, colour serjeant 84th reg.... 11, Mr. John Macdonald, Sea Custom-house.... 13, at Trichinopoly, Lieut. Holst, H.M.'s 53d reg.... 14, at Hoobly, Jas. Cooke, Esq.... 21, Mrs. Sarah Green.... 27, Mr. David Timasfield, medical store department.... 28, at Pondicherry, Miss Caroline M. Thompson, daughter of the late Skeffington Thompson, Esq. of Rathkeeny, county of Meath, Ireland.... Jan. 1, at the Presidency, Mr. Silvester Pope, assistant revenue surveyor.... 4, at St. Thomé, Cornet Edw. P. Gahagan, 5th L. C. and adj. cavalry depot ... Lately, Mr. S. Van Mispelaar.... At Cochin, Mr. John Lambertus Cornelis Van Spall, third son of the late and last Dutch governor of Cochin and the Malabar.

## BOMBAY.

### Political.

*Bombay Castle 26th December, 1818.*

The rt. hon. the Governor in Council accepts the resignation by Maj.gen. Hy. Parker Laurence of the command of the province of Guzerat, from the date of the departure of the H. C. extra ship Fairlie from Bombay, and permits him to proceed to England. The Governor in council will have great satisfaction in bringing to the notice of the hon. the court of directors the very favorable sense he entertains of the long and meritorious service of Maj.gen. Laurence, who has for an uninterrupted period of forty years continued in the honorable exercise of his professional duties.

Maj.gen. Rich. Cooke is placed on the staff of the army of this Presidency in the room of Maj.gen. Laurence, subject to the confirmation of the hon. the court of directors.

## CIVIL APPOINTMENTS.

*Dec. 19.*—J. B. Simson, clerk to court of petty sessions—J. Pyne, assistant to register to Zillah court of Surat—Ollyett Woodhouse, Esq. to be sheriff of Bombay for the ensuing year.

## MILITARY APPOINTMENTS AND PROMOTIONS.

*Dec. 17.*—Ens. S. Hemming, engineers, to be assistant to Capt. Sutherland, employed on a survey of the late Paishwa's territories in the Deccan—Assist.-surg. V. C. Kenball to be surg.—Assist. surg. Hall to be surg. at Bussorah, and assist.-surg. Dow to the charge of the medical duties at Bushire—3d N. I. Capt. lieut. Geo. Challon to be Capt. of a company, and Lieut. and Brev. Capt. M. E. Bagnold to be Capt. lieut.—Lieut. Lighton 2 batt. 11th reg. N. I. appointed linguist to that batt.—Assist.surg. E. C. Harrison, to be dep. medical store keeper.

*Dec. 23.*—Maj. Hodgson, of artillery, having returned from furlough, to resume his situation of commissary of stores at the presidency.

*28.*—Maj. Gen. Sir W. G. Keir K.M.T. to the command of a force under orders for service.

*29.*—Ens. J. Liddell and J. Brooks of infantry are transferred and permanently posted to regts. of L. C.—*Infantry*, Maj. J. S. Jardine to be Lieut.col.—*Fifth N. I.* Capt. J. Sutherland, to be Maj. Capt. lieut. R. W. Flenning to be capt. and Lieut. and Brev. Capt. G. A. Rigby to be Capt. lieut.

Lieut. T. Leighton, Adj. 1st. bat. 7th regt. N. I., to be Fort Adj. at Surat—Maj. Thatcher to the command of the Deccan brig. with the usual. brig. staff.

## LOCAL AND PROVINCIAL.

*Dec. 29.*—The 2d bat. of the 11th Bombay N.I. received their colours from the hands of Lady Nightingall, on the esplanade.

*Dec. 30.*—Randal Lodge was thrown open for a masked ball. As the party was a farewell one to Sir M. and Lady Nightingall, several of the illuminated devices and transparencies exhibited allusions to their departure.

*Dec. 19.*—A letter received from Hoobly, Gen. Pritzler's camp, mentions that in three days two officers and upwards of 100 Europeans were carried off by the cholera. During the last week the number of fresh cases daily on this island, are somewhat increased.—(*Bomb. Courier.*)

The Mary, lately arrived from New South Wales, is said to have, on her way through Torres Straits, picked up a Bengallee at Murray's Island, who had been cast away on the reef at the entrance of the straits,

about three years and a half ago, in a brig which he states to have been called the Swallow of Calcutta.—(*Bombay Courier*, Dec. 26.)

## BIRTHS.

Dec. 30.—The lady of J. D. De Vitre, Esq. C. S. of a daughter. . . 30, the lady of Capt. Barr, of a son. . . 30, at Macao, the lady of Lieut. Philip Maughan, Bombay Marine, of a son.

## MARRIAGES.

Dec. 7.—Lieut. col. Hessman, artillery, to the third daughter of Samuel Hawkins, Esq. . . 13, Capt. S. Strover, artillery, to the youngest daughter of Capt. Tucker, H.C. marine. . . 23, at Poonah, Capt. J. Snodgrass, 8th N.I., to Miss Eliza Punnetta Clunes.

## DEATHS.

Aug. 7.—At Bombay, H. Griffith, son of Maj. C. Hodgson, of the H.C. artillery. .

.. Nov. 9.—At Soongeer in Candeish, Lieut. Buckworth 2d bat. 14th N.I. . . 12, at Kheir, in Candeish, assist. surg. S. Christy 2d bat. 14th N.I. . . 19, at Colaba, Lieut. col. W. Boyce, of this estab. . . 19, at Baroda, Harriot, wife of Capt. Thos. Backhouse, H.M. 47th regt. . . 27, . . . 20, at Bombay, Mr. T. R. Perriman, clerk in the treasury department. . . 22, at Malligaum, Capt. C. Campbell, H.M. 67th regt. . . 27, on board H.C. ship Fairlie, the Rev. W. R. Williams, chaplain on the Madras estab. . . 29, at the house of F. Warden, Esq. Ens. E. Munro, Madras estab. . . Dec. 7.—At Kaira, Caroline, wife of G. W. Anderson, Esq. C.S. . . 7, at Pattwell, Sub-conductor Fras. Ward, of the Ordnance. . . 12, John Copland, Esq. assurg. surg. at this presidency. . . Jan. 1. The wife of Capt. Healy, H.M. 47th regt. . . 1, in the Straits of Malacca, on board H.C. ship Thomas Coatts, Jas. Dunn, Esq. purser.

## HOME INTELLIGENCE.

## PRINCE REGENT'S COURT.

On the 20th of May, his Excellency Mirza Abul Hassan Khan, ambassador extraordinary from His Majesty the Shah of Persia, had a public audience of His Royal Highness the Prince Regent at Carlton-House. In consideration of the distinguished honors with which our ambassadors are received at the Court of Persia, it was His Royal Highness's commands that the line of streets by which His Excellency the ambassador was to approach the palace from his residence in Charles Street, Berkeley Square, should be guarded by detachments of military, including a large portion of household troops; and that the officers of the Court and Police should show him every attention and mark of respect. It is long since the metropolis has seen a procession so august and brilliant as that which was formed by the ambassador's suite and the honourary escort. His Excellency was most graciously received by the Prince Regent, to whom he delivered some magnificent presents from his sovereign.

## EAST INDIA HOUSE.

April 28.—A court of directors was held, when dispatches were closed and delivered to the masters of the following ships, viz:—Marq. of Hastings, Capt. C. Arkcoll; Barroza, Capt. H. Hutchinson; and York, Capt. Jas. Talbert, for Bombay.

May 5.—A general court of proprietors was held for the purpose of further considering the proposition of a grant of £60,000 to the Marq. of Hastings, out

of the territorial revenues of the company. After a debate of which a report will be given in our next, the subject was adjourned until the 26th instant.

12.—A court of directors was held, when the following commanders took leave previous to departing for their respective destinations, viz:—Princess Charlotte of Wales, Capt. C. B. Gribble, and Marq. of Wellington, Capt. J. Wood, for Bengal.

19.—A general court of proprietors was held. The first proposition which came before the court related to Mr. Wilkinsons's claim. The result on which, with the vote of a present to Sir Murray Maxwell, and the other business of the day, is reported p. 675 *et seq.*

20.—The dispatches were closed and delivered to the pursers of the following ships:—Princess Charlotte of Wales, Capt. C. B. Gribble, and Marq. of Wellington, Capt. J. Wood, for Bengal direct.

22.—The dispatches for Bengal were closed and delivered to the masters of the following ships, viz: Fame, S. Remington; and Almorah, T. Winter.

24.—The dispatches for Bengal, by the ship Abberton, were closed, and delivered to the master of that ship.

26.—A special general court of proprietors was held, for proceeding in the consideration of a resolution of the court of directors, for granting to the most noble the Marq. of Hastings the sum of £60,000, to be vested in trustees, and laid out in the purchase of estates for the benefit of the noble Marquis, the Marchioness, and their family.

The grant was moved by the chairman according to the words of the resolution, and seconded by the deputy chairman; which, after some opposition, was carried. Our next number will contain a report at length of the proceedings. After an amendment, proposing to extinguish the question moved by Mr. Hume, had been negatived, a ballot was demanded, and fixed for the 10th of June.

#### MISCELLANIES.

Lord Herbert Winsor Stuart has resigned the Bengal civil service.

Sir Alexander Johnston, who has so many years filled the office of chief justice and first member of his Majesty's council in Ceylon, retires on the pension attached to that office in consequence of ill health.

Capt. G. H. Brown has been appointed, by the court of directors, second assistant in the master attendant's office at Calcutta, vacant by the death of Capt. Jacob Maughan.

The list of the subscriptions at Calcutta for the Waterloo fund is received. The amount is 231,500 sicca rupees (near £30,000 sterling), and is highly honourable to our countrymen in Bengal. The Marquis of Hastings opened the subscription with 2000 rupees.

Major Scott Waring, who lately died at his house in Half-moon-street, was long distinguished in the House of Commons for his unremitting exertions in the cause of his friend, the late Right Hon. Warren Hastings.

John Bladen Taylor, Esq. who was returned to the present parliament for Hythe in Kent, has accepted the Chiltern Hundreds.

April 12, the following persons, destined for the service of Buonaparte in St. Helena, arrived in London: The Abbé Bonavito, an aged priest; Doctor Viglioli, and Professor Automarchi; with a maitre-d'hôtel and cook.

Dr. Stokoe, we understand, was examined by ministers, April 6, and the result has been, that he is immediately to resume his functions at St. Helena. The inference from this is, that his conduct has been fully approved of. We understand that it had been required of him to report every word communicated by Buonaparte, even in confidence, whether it could have any relation to the political condition of the prisoner or not; and that he had refused to accede to this requisition of Sir Hudson Lowe.

#### COMMERCIAL NOTICES.

*Extract Letter from Calcutta, Nov. 1, 1818.*—"Every species of European produce is selling here for one-half the cost of bare labour in England. I bought at an auction, a few days since, a dozen

large muslin shawls, which cost in London 12s. and 14s. a-piece, and I only paid for them one shilling each. No article of European produce saves its importer; Calcutta is glutted with it, as are also Bombay and Madras."

From the last report by the commissioners for the herring fishery, for the year ending 5th April 1818, it appears that a new market for cured fish has opened in the East-Indies, to which different shipments of herrings have been made, by way of experiment, both from Greenock and London, with encouragement and success.

The state of commerce of the Isle of Bourbon is represented to be so depressed, that European goods have lately sold at fifty per cent. loss.—*Paris, May 21.*

#### SHIPPING INTELLIGENCE.

Passengers on the *Thomas Coutts*, from the Cape;—Col. Ogg and Capt. Downes, Madras establishment; A. Reveley, Esq. Bengal Civil Service; Capt. East, H. M. 30th foot; Mrs. Downes, three Miss Tullohs, Mrs. and two Miss Turners.

Passengers on the *William Miles*, for Madras and Bengal;—Mrs. Sherson, Mrs. Pattle, Mrs. Higginson, and Mrs. Bayley; Madame and Mademoiselle De L'Etang; two Miss Shersons, two Miss Bayleys, two Miss Birches, two Miss Pattles, and Misses Ridge and Ford; Maj. C. Ridge, Capt. Walker and J. Scott; two Mr. Ridges, Messrs. Campbell, and J. A. Campbell, Leslie, Puget, Ellis, Alexander, Underwood, Richardson, Richards, Wade, Brook, and Johnson.

#### CAPT. HORSBURGH.

We feel much satisfaction in inserting the following tribute to the abilities of Capt. James Horsburgh, F.R.S.

"To Capt. Jas. Jameson, commander of the Hon. East India Company's ship *Balcarras*.—Dear Sir:—As you have been kind enough to offer your services in undertaking the management of choosing a piece of plate which the commanders of the country ships now lying in this port have voted to Jas. Horsburgh, Esq. for the eminent services rendered the navigation of the Indian seas, we have the pleasure of handing you herewith bills of exchange to the amount of 150 guineas voted; leaving the piece of plate to your able choice, and adding what emblematical devices you may deem most suitable to this presentation: Accompanying we enclose an inscription, as also a letter, which we request you to present to him, with the piece of plate when finished, in the name of the commanders. At the same time, we, in the names of the commanders, have to return you our warmest thanks for the very handsome way in which you

have come forward to aid us in conveying to him this small tribute of esteem. Wishing you a pleasant and prosperous voyage, we remain, &c. *Geo. Nicholls, F. Balston, Geo. Seton.*—Canton, 18th Oct. 1818."

"To JAS. HORSBURGH, Esq. F.R.S., Hydrographer to the Hon. the East-India Company.—Dear Sir:—We the undersigned commanders of the ships now lying in the port of Canton, and belonging to the country service of India, being impressed with the highest respect and veneration for your zeal, ability, and arduous undertaking in compiling and amending the Indian Charts and Directory, so essential and beneficial to all classes of men trading to British India, and from which navigators individually and generally have benefited; we do solicit your acceptance of a piece of plate which we have delegated Capt. Jameson, of the Hon. Company's ship *Balcarras*, to present to you in our names, as a memorial of the regard we all entertain for your personal talents in this laudable and indefatigable work, as also the knowledge many of us have of your character as an active, industrious, and enterprising commander when in our service. With our sincere wishes for your health and welfare, and that your valuable life may be prolonged to exercise those talents, we remain yours, very faithfully.—*Thos. Reddock*, commander of ship *Ann*; *F. Balston*, Lady Flora; *R. Surpitch*, Sulimany; *E. Cooper*, Glenelg; *R. Graham*, Cornwallis; *Geo. Seton*, Lowjee Family; *Geo. Nicholls*, Philippa; *Wm. Kinsey*, Maitland; *Alex. Dobie*, Mysore; *Jno. G. Duncan*, Lady Sophia; *Jno. Hudson*, Barretto junior; *J. Stevenson*, Charlotte; *G. Hammett*, Shah Byramgore; *Geo. Ross*, Bannerman; *Francis Briggs*, Castlereagh; *Wm. Richardson*, late of the Helen; *Wm. Clarke*, Zenobia; *David Kidd*, Juliana; *J. D. Finny*, Asia; *John Goner*, Helen.—Canton, 18th Oct. 1818."

The following is Capt. Horsburgh's reply to the above letter.

"To the commanders of the ships employed in the country trade of British India which were at Canton in 1818.—Gentlemen:—By my friend Capt. Jameson, of the *Balcarras*, I have had the honour to receive your much esteemed letter, dated Canton 18th Oct. 1818, stating that he had voluntarily undertaken to present to me in your names a piece of plate, of the value of 150 guineas, with an appropriate inscription, which you have generously voted to me as a memorial of your friendship and esteem, in consideration of my exertions for the improvement of oriental navigation, by amending the India Sailing Directory, and correcting the maritime geography of the Eastern seas. This munificent token and highly marked approbation of my humble but

sincere labours for the safety of navigation, from those whom I know well are best qualified to appreciate their merit, has impressed me with feelings of gratitude and sensibility far beyond what I can express. And I trust that, as long as a kind Providence grants to me health and the enjoyment of my faculties, it will be my earnest endeavour to continue to deserve the countenance of gentlemen I so highly esteem (and in the same line of employment where I spent the greatest part of my maritime life), by devoting the remaining portion of my days to that branch of nautical science, which has long been my favourite pursuit, and which has been thus so conspicuously approved and munificently patronized by you.—Sincerely wishing you prosperity and every rational blessing this world can afford, I remain, &c. *James Horsburgh.*—East-India House, 24th April, 1819."

#### LIST OF CASUALTIES IN THE COURT OF DIRECTORS, FROM THE YEAR 1801 TO DECEMBER 1818.

David Scott, Esq: disqualified in September 1801.

John Hunter, Esq: died in 1802.

Sir John Smith Burgess, died in 1803.

Sir Lionel Darell, died in 1803.

George Tatem, Esq: went out by rotation in 1803, and not re-elected.

William Adair Jackson, Esq: died in 1804.

Stephen Williams, Esq: died in 1805.

William Devaynes, Esq: went out by rotation in 1805, and not re-elected.

Paul le Mesurier, Esq: died in 1806.

George Woodford Thellusson, Esq: went out by rotation in 1806, and not re-elected.

Sir Stephen Lushington, died in 1806.

Simon Fraser, Esq: went out by rotation in 1807, and retired.

Thomas Parry, Esq: went out by rotation in 1807, and not re-elected.

Sir William Bensley, died in 1809.

John Manship, Esq: disqualified in 1809.

John Travers, Esq: died in 1809.

Sir Francis Baring, died in 1810.

John Roberts, Esq: died in 1810.

Robert Williams, Esq: died in 1812.

Sir Thomas Theophilus Metcalfe died in 1813.

George Millet, Esq: went out by rotation in 1813, and retired.

Robert Thornton, Esq: went out by rotation in 1814, and retired.

Charles Mills, Esq: disqualified in 1815.

Abram Roberts, Esq: disqualified in 1815.

Rober Clerk, Esq: died in 1815.

Richard Parry, Esq: died in 1817.

Richard Twining, Esq: disqualified in 1817.

J. A. Bannerman, Esq: disqualified in 1817.

John Lumsden, Esq: died in 1818.



## LONDON MARKETS.

Friday, May 28, 1819.

*Cotton.*—The market early in the week was in a very depressed state, scarcely any sales were effected, the demand both for export and also on speculation having subsided; yesterday and this forenoon the request appears again to revive, particularly the demand for shipping.

*Sugar.*—The Refined market may again be stated at a further depression, but there appears more disposition to do business; the holders do not press sales, and generally a revival in the trade is anticipated. In Foreign Sugars, or in East India descriptions, few sales are reported.

*Coffee.*—There have been few purchases of Coffee by private contract this week; generally, the Coffee market may be stated lower, but the prices are still very unsettled.

## BIRTHS, MARRIAGES, AND DEATHS, HOME LIST.

\* \* \* *Information respecting Births, Deaths, and Marriages, in families connected with India, if sent under cover, post paid, to Messrs. Black and Co., Leadenhall Street, will be inserted in our Journal free of expense.*

## BIRTHS.

Apr. 30. The lady of Capt. Hutchinson, of the Company's ship Barossa, of a daughter.

## MARRIAGES.

Some time since, at the church of St. Giles in the Fields, the Right Hon. the Earl of Buckinghamshire, to Miss Glover, of Keppel Street, Russell Square.

## DEATHS.

Apr. 19. Suddenly, in Queen Street, Edinburgh, the lady of John Hutcheson Ferguson, Esq. of Trochraigue, county of Ayr, eldest daughter of John Petrie, Esq. formerly of Gatton Park, Surrey, and niece of the late W. Petrie, Esq. Governor of Prince of Wales's Island.

24. At Ospringe, aged 39, Capt. T. C. Gravenor, of the Bombay Military Establishment.

May 1. In Baker Street, Portman Square, in his 43d year, George Brown, Esq. late Member of the Council at Bombay.

7. At his residence in Bethnal Green, Thomas Saunders, Esq. many years one of the Tea Warehouse Keepers to the Honorable Company. At Bridport, in Devon, after a very short illness, Miss Mac Tavis.

## INDIA SHIPPING INTELLIGENCE.

## Arrivals.

Apr. 29, Liverpool, John Tobin, Kennan, from Bengal 5 Dec.

31, Off Plymouth. May 4, Gravesend, Rochester, Sutton, from Bengal 14 Dec. Cape 14 Feb. and St. Helena 24 Feb.

May 2, Off Dover. 4, Gravesend, Duke of York, Campbell, from China 17 Dec. and St. Helena 5 Mar.

—, Off Brighton. 4, Gravesend, Scaleby Castle, Bothey, from China 6 Dec. and St. Helena 16 Feb.

—, Portsmouth. 10, Deal. 12, Gravesend, Waterloo, Moore, from Bengal 25 Dec. Cape 22 Feb. and St. Helena 5 Mar.

—, Cowes, Augusta, M'Neal, from China, for Rotterdam.

—, Cowes. 13, Gravesend, Charles Mills, Jackson, from Bengal 26 Dec. and the Cape.

—, Off Isle of Wight. 5, Gravesend, Lady Melville, Stewart, from China 21 Dec. and St. Helena 6 Mar.

—, Off Isle of Wight. 4, Gravesend, Princess Amelia, Balston, from China 23 Dec. and St. Helena 6 Mar.

—, Off Isle of Wight. 5, Gravesend, Orwell, Leach, from China 18 Nov. and St. Helena 16 Feb.

2, Off Isle of Wight. 6, Gravesend, Thomas Coutts, Marjoribanks, from China 8 Dec. Cape 12 Feb. and St. Helena 28 Feb.

—, Off Isle of Wight. 6, Gravesend, Marquis of Huntley, M'Leod, from China 8 Dec. Cape 12 Feb. and St. Helena 28 Feb.

—, Off Isle of Wight. 4, Gravesend, Prince Regent, Harris, from Bengal.

—, Off Isle of Wight. 5, Gravesend, Marquis of Ely, Kay, from Bengal.

—, Off Lymington. 5, Gravesend, Recovery, Fotherby, from Bengal 14 Dec. and Cape 18 Feb.

—, Off Isle of Wight, Robinson, Potter, from Batavia.

—, Clyde, Caledonia, Watson, from Bengal 13 Dec.

3, Gravesend, George Canning, Paterson, from China 16 Dec. and St. Helena 5 Mar.

—, Gravesend, London, Campbell, from China 31 Dec. and St. Helena 5 Mar.

—, Off Portsmouth. 7, Gravesend, Lady Banks, Clinch, from Bengal and the Cape.

—, Cowes, George Long, Snow, from Batavia and St. Helena.

—, Falmouth, Brahmin, M'Gregor, from Batavia, for Antwerp.

—, Liverpool, Princess Charlotte, M'Kean, from Bengal.

—, Liverpool, Thalia, Ballingall, from Bengal.

—, Liverpool, Lonach, Driscoll, from Bombay.

4, Off Dover, Minerva, Bates, from Batavia.

—, Off Isle of Wight, William Baker, Wellard, from Batavia.

6, Off Portsmouth. 9, Deal. 13, Gravesend, Europe, Ashton, from Madras 5 Jan. and the Cape 28 Feb.

—, Plymouth. 15, Gravesend, Woodman, Bear, from Batavia 16 Dec. and the Cape 21 Feb.

7, Off Dover, Christina, Bernarding, from Batavia.

—, Liverpool, True Blue, Hannay, from Bengal.

—, Dublin, Cambrian, Browning, from the Cape.

8, Off Isle of Wight, United States, Milkins, from Batavia, for Amsterdam.

—, Off Plymouth. 11, Deal. 16, Gravesend, Java, Smith, from Batavia.

—, Liverpool, Thomas, Kegg, from Bengal and St. Helena.

9, Deal, Mary Ann, Warrington, from Bengal.

10, Off Isle of Wight. 12, Deal. 14, Gravesend, Perseverance, Templar, from China and the Cape.

—, Deal. 12, Gravesend, Edward, Johnson, from Bombay.

—, Off Falmouth. 15, Gravesend, Castle Forbes, Frazer, from Bombay.

11, Clyde, Marshall Wellington, Gordon, from Bengal.

19, Off Portsmouth. 21, Gravesend, City of Bordeaux, Hallet, from the Cape 4 Mar.

## Departures.

Apr. 30, Gravesend. 5, Deal, Marquis of Hastings, Arkcott, for Bombay.

May 1, Gravesend. 6, Deal, Barrosa, Hutchinson, for Bombay.

2, Gravesend, York, Talbert, for Bombay.

3, Gravesend. 6, Deal. 12, Plymouth, Chance, Franklin, for the Cape of Good Hope.

6, Gravesend. 8, Deal, Upton Castle, Howell, for Bombay.

11, Gravesend. 15, Deal, Swallow, Nicholson, for Bombay.

—, Gravesend. 16, Deal, William Miles, Beadle, for Madras and Bengal.

13, Deal, East Indian, Wishart, for Bengal.

16, Gravesend, Carmarthen, Ross, for the Cape.

20, Gravesend. 23, Deal, Marquis Wellington, Wood, for Bengal.

—, Gravesend. 23, Deal, Princess Charlotte of Wales, Gribble, for Bengal.

## SHIP-LETTER MAILS FOR INDIA.

(Post Office List.)

Ships' Names. Tonn. Probable Time of Sailing. Calcutta.

Medway - - - 500 June 1.

Princess Charlotte 514 June 1. Madras and Calcutta.

Mary - - - 548 June 1.

## DEBATE AT THE EAST-INDIA HOUSE.

*(Continued from p. 639.)**East-India House, May 19, 1819.*

A special general court of proprietors of East-India stock was this day held. The minutes of the proceeding court having been read,

The *Chairman* (Campbell Marjoribanks, Esq.) stated, that a series of papers that had been presented to parliament since the last general court were now laid before the proprietors, in conformity with section 4, chap. 1, of the by-laws.

The titles of them were then read: viz.

An account of the annual revenue and charges of Bengal for three years, with an estimate for the ensuing year.

A similar account from Madras and Bombay.

A general abstract of the charges of the Indian empire for three years, and an estimate of the same for the next year.

An account of the balance of capital stock at the several presidencies.

An account of the expenses of the Bengal, Bombay, and Madras governments.

An account of the annual charges of the East-India Company for the trade and commerce of Bengal.

An account of the prime cost of articles purchased in India, on account of the Company, and shipped for Europe, for three years.

**MR. WILKINSON'S CLAIM.**

The *Chairman* said, he had now to acquaint the court that it was met for the purpose of considering of a motion signed by nine proprietors, having for its object the granting to Mr. Wilkinson the sum of 1,80,000 sicca rupees.

The clerk then read the letter requesting the court to be called, which was as follows:

"London, the 24th April 1819.

"To the Hon. the Court of Directors of the East-India Company.

"Hon. Sirs:—We request the favour of your calling a special general court of proprietors, for the purpose of taking into consideration the following proposition, viz.—That a sum of money equal to 1,80,000 sicca rupees be paid to Mr. James Wilkinson, at the exchange of 2s. 6d. per sicca rupee, in consequence of the losses sustained by him from the enactment of a monopoly of saltpetre by the Bengal government in the year 1812.

"We have the honour to be, &c.

"CHARLES FORBES;

"C. COCKERELL;

"H. HOWORTH,

"A. BROWN,

"ANDREW REID,

"C. ROBERTSON,

"JOHN FORBES,

"JOHN INNES,

"J. DEACON."

Mr. *Forbes* then rose and said, he could not but lament the proceeding which had taken place at the former court on the case of Mr. Wilkinson, as having tended to disappoint that gentleman's just expectations, and to protract that state of painful and unpleasant suspense under which his mind had so long suffered; yet perhaps this circumstance was the less to be regretted, as it gave the proprietors an opportunity of considering more fully the merits of his claim on the Company. After the very full discussion this subject had undergone on two previous occasions, and as he appeared now before that hon. court for the third time on the behalf of Mr. Wilkinson, to appeal to the justice and liberality of the proprietors for a proper compensation for the losses sustained by that gentleman, in consequence of the monopoly of the saltpetre trade in 1812 by the Bengal government, he was not willing to detain the court for any considerable length of time, especially as there was other business of importance to come on after the present question had been disposed of; he would not, therefore, enter into any lengthened detail; indeed, so amply had the question been considered, that he would find it difficult to point out any thing new on the subject. He must, however, say that his own opinion of Mr. Wilkinson's claim remained unchanged; indeed, the more he examined the case, the more was he convinced of its justice. When he considered that the sum he was about to move for had been awarded by the committee especially appointed by the Bengal government, as the very lowest remuneration this gentleman was indebted to, he hoped the proposition would not be seriously opposed. The motion now about to be submitted to the proprietors referred to a sum considerably below that which he had originally proposed; this course was recommended by several friends of Mr. Wilkinson, and he the more readily agreed to it, because it appeared to be the general wish of the proprietors, on the former occasion, that a sum should be voted, smaller indeed than that which he contemplated, but larger than that which the court of directors had recommended. The medium between 75,000 rupees, which the directors proposed to grant, and 2,88,800 rupees, which he had proposed on the 21st of April, was about 1,80,000 rupees; and it was his intention to move that the sum of 1,80,000 rupees should be granted to Mr. Wilkinson but without interest. He would thereby obviate an objection which had been felt by several proprietors, and which, he believed, had

been urged to the court of directors, namely, that as this was to be considered rather in the nature of a liberal grant than of a decided claim, it would be improper to allow interest. For his own part, he looked upon it as a claim, a fair and just claim; but he conceded this point to remove opposition as far as he possibly could. His view of the subject on the present occasion was precisely what it had been from the first, but he conceived that he would most effectually serve Mr. Wilkinson by meeting the wishes of the court, as far as it was in his power to do, consistently with the protection of that interest which he had undertaken to support. But for the inconvenient proceedings which took place when the question was last under discussion, he was convinced that the claim of Mr. Wilkinson would have been successful. The debate was protracted to so late a period of the day, as to occasion the departure of many proprietors, so that a proper decision could not be arrived at: had the division taken place at an earlier hour, he had not the smallest doubt that the proposition which he had the honour of then submitting to the court, would have been carried by a very large majority. However, as he had stated before, he did not on that account regret the situation in which the friends of Mr. Wilkinson now stood. Those who were most favourable to that gentleman's views were content that his case should be examined minutely, being perfectly convinced that all the circumstances being duly weighed and considered, the court would ultimately come to a decision that he was justly entitled to a remuneration for the losses he had sustained. Notice had been given by the hon. chairman, on the former day, that it was intended to submit this case to a ballot; nothing could, he thought, be more proper than that all cases of this nature, all money questions, should be ultimately decided by ballot, by which all idea of an undue bias was completely set at rest. He approved of the adoption of this course on the present occasion, and he trusted that the great body of the proprietors would come forward in support of Mr. Wilkinson's claim, than which no claim was ever more clearly substantiated, or more powerfully upheld by the principles of strict justice. He again repeated, that he was extremely happy this question was to be left to the decision of a ballot; he looked forward, with the most perfect confidence, to the ultimate result: it was impossible for him to doubt the success of Mr. Wilkinson's cause, when he considered the upright and honourable character of those who were to decide on it. The hon. proprietor concluded by moving—

Resolved, that a sum of money,

equal to 1,80,000 sicca rupees, be paid to Mr. James Wilkinson, at the exchange of 2s. 6d. per sicca rupee, in consequence of losses sustained by him from the enactment of a monopoly of saltpetre by the Bengal government, in the year 1812."

Mr. S. Dixon inquired whether the resolution ought not to state out of what revenue the grant was to be made, either territorial or commercial?

The *Chairman* was of opinion that the suggestion of the hon. proprietor was a very correct one.

Mr. *Forbes* then added the words, "and that such payment be made from the commercial fund of the hon. the East India Company." He trusted he might be allowed to say that this was a commercial question altogether, and the sum now proposed to be granted was greatly inferior to the quantum of profit the Company had made on the sale of 90,000 maunds of saltpetre, which Mr. Wilkinson was prevented from disposing of.

The *Chairman*—"The motion for a grant of money to Mr. Wilkinson being now specifically proposed to the court, I take the opportunity of stating, in a few words, my view of the question. The hon. mover has justly observed that the subject has been already very fully discussed; indeed it has been so much argued, that I do not think it would be at all desirable to re-open the consideration of the question to any great extent. I feel myself called on to oppose the motion, and I can assure the court that I do so with great reluctance. That reluctance arises from two causes; first, because this appears, on the first view, to be the case of an individual struggling against a powerful body, who are disinclined to listen to his claims for remuneration, who are unwilling to commiserate his misfortunes; and next, because I feel very sensibly for the situation in which this individual is placed, having a high respect for him, the consequence of a long acquaintance. Under these circumstances, nothing but the recollection that I had a duty to perform, paramount to all private feelings, could have induced me to offer myself to the court. The subject, whatever it might have been at first, it must now be confessed by every gentleman, has become a very difficult one, particularly with respect to the main point, that of estimating the proper amount of remuneration; and, in looking coolly and dispassionately at the question, I cannot avoid expressing my conviction, that some of those gentlemen who delivered their sentiments on the subject carried their remarks beyond just and proper bounds. The acts of our government abroad have been adverted with considerable latitude; expressions of a very strong nature have been used with reference to them. I

mean particularly to advert to the expression which several gentlemen made use of when they spoke of monopoly, when they censured the government for laying down and reassuming, what they were pleased to denominate monopolies. It cannot be doubted that expressions of this description make a considerable impression on the minds of people in this country; they operate strongly on their feelings, and lead them not unfrequently to take a view of subjects, which they would not entertain if their passions were not excited. Looking to what was denominated the rescinding of the monopoly of saltpetre, I can only consider it as an act of kindness and indulgence on the part of the Bengal government to the traders in general, as a matter of great convenience to their interests, and as manifesting an anxious desire on the part of that government to do all that lay in their power to serve the trading community: in no other spirit can I suppose the Bengal government to have been acting when permission was given to embark generally in this trade. After a twelve-month's trial the opening of the trade was found to be injudicious: it was discovered to be injurious to the state, as it prevented the Indian government from completing those contracts for saltpetre, which they were bound to fulfil in this country. Perhaps gentlemen are not aware that the Company were, by contract, per agreement, bound annually to send to this country a very large quantity of saltpetre. [Not now, said Mr. Hume.] I mean that they were, at the period when this transaction took place, bound to furnish a given quantity of saltpetre to the government of this country. We are talking of a transaction that took place in 1812, and which must not be judged by the system that prevails in 1819. At the former period, it must be recollected that we were carrying on the war upon a most extensive scale; what then would have been the consequence to the East-India Company, what would the executive body have said to the government abroad, if the quantity of saltpetre which they had stipulated to furnish had been denied? Let gentlemen consider that this country was, at the period to which I allude, most extensively engaged in warfare. Bonaparte was exerting all his efforts against us; he was not then confined in one of our distant possessions, as he is at present. Under these circumstances, I cannot conceive, for a moment, with what justice the Bengal government can be charged with renewing a monopoly merely for commercial purposes or views of profit. If I thought the government abroad could be capable of pursuing such a line of conduct, I would be the first to demand their recall;

but I, for one, am of opinion, that the distinguished individual who is at the head of the government in India, that the civil servants of the Company, whose character for integrity as well as ability was perfectly known, never could, for a single moment, have conceived even the idea of acting from such mean and narrow views. (*Hear, hear!*) Here I think it necessary to observe, that the nature and character of the committee appointed by the Bengal government to investigate this case have been a good deal misunderstood. It is true, a committee was formed for the purpose of examination, and I cannot allow that it was appointed for any purpose beyond that. The committee were to seek for information; they were to procure all the instruction they could on the subject, but they had no right to take the character of a deciding body; they were not empowered to come to a final arrangement, they were subject to ultimate control. It is said, that the committee were to proceed as if they were arbitrators, that they were to examine and redress the grievance of which Mr. Wilkinson complained. But nothing appeared to shew that they were so constituted. It could not have been a committee of this nature, since none of Mr. Wilkinson's friends were nominated on it, a point that was rather made matter of complaint. If Mr. Wilkinson's friends had been appointed on this committee, if it had been specially appointed for the purpose of reference, then indeed its decision would have been final; but here, even in this house, committees are in the habit of reporting every day, and those reports are, after proper consideration, very frequently set aside. If it were not for this, the business of the executive body would be comparatively light; but we are often obliged to dissent from the reports laid before us by committees. With this impression on my mind, I cannot give to the report of this committee all that importance which some gentlemen have attached to it. With respect to the gentlemen of whom this committee consisted, I feel as strongly as any person can do, respect for their talent and industry. I am not acquainted with them, I only know them by name; but I sincerely believe that they are upright, honest, and honorable men: still, however, I cannot be induced to think, that we are bound to act on the result of their inquiry. In deciding on this question, I, as one of the committee of warehouses, viewed it as a matter of principle entirely, and in no degree as one of detail or account. I considered that an individual had been disappointed in a considerable, indeed in a very considerable prospect; but I never could admit that he lost, directly or indirectly, any sum of money

whatever. I am sorry to say, and I regret it very much, that our own commercial servants in India have not satisfied me by the course they pursued. I will not, however, detail those points on which my opinion is entirely at variance with theirs; I have fully stated my sentiments on this part of the subject in the adjoining room, and I will now confine myself to a repetition of my former observation, that the board of trade did not satisfy me by the conduct they had adopted.—*(Hear, hear!)*

—For the inconvenience Mr. Wilkinson has suffered, I am willing to allow him a sum of money nearly equal to £10,000 (75,000 sicca rupees, with interest at six per cent. from Oct. 1816). When this is the case, Mr. Wilkinson not having, as I can discover, disbursed any money which he had not regained, I cannot help thinking that £10,000 is a large sum to vote. To this extent, however, I am disposed to go, and I would recommend it to the hon. proprietor not to push the claim farther. As to the proposition for granting 80,000 rupees, at 2s. 6d. each, being a sterling sum of £22,500, I am determined to resist it to the utmost. These are the only points of the subject on which I deem it necessary to offer any remarks; but I feel that I should be wanting in my duty, if I did not state my opinion of the mode in which the resolution is now brought forward. I think, that if the principle now acted on should become a practice, it would be attended with excessive inconvenience. The number of days this solitary case has occupied the court of directors and the general court, points to one great inconvenience, an inconvenience from which the public must suffer. To me it is, of course, a matter of little importance in what room of this house I am called on to sit; but it is of essential importance to the public, that public cases should be decided with as much celerity as possible by the court of directors; and if the present case occupies seven days, four days in the committee and court of directors, and three days here, it must evidently prevent the executive body from attending to matters of great public interest. If, therefore, a practice of treating questions of this nature in the way which marks the progress of the case now before us, be established, it will tend entirely to obstruct the public business, with the decision of which so many great interests are connected. I wish to be understood clearly and distinctly on this point. It is not for myself I speak, but for the benefit of the public, to whom I wish to give every satisfaction, by a prompt and regular discharge of the duties which my situation imposes on me. When I advert to the course which has been adopted with reference to the present claim, as a money question, it will be thought, and justly, that I am touching

on a very tender subject. I am aware of this, but it is my duty to speak my opinion openly and plainly, so that none may misunderstand it; and I am bound to declare, that in my view of the question, if it become a practice in the general court to alter sums of money recommended to be voted by gentlemen within the bar, it will soon degenerate into a great evil, and at length perhaps, a remedy would be sought for in legislative enactments. I am perfectly aware of, and satisfied with, the powers enjoyed by the executive body and the court of proprietors: the orders and regulations by which each body is governed, are extremely good; they are wisely and prudently formed for the public service. I know very well the power which is vested in the proprietors with respect to money questions: I am not at all hostile to it; but I question the wisdom of the application of that power in the present instance. When I say this, I am actuated by an ardent desire that the proprietors should preserve their rights and privileges unimpaired; and, for that purpose, that they should encourage nothing that tends to invite the interference of the legislature. I have touched on this subject as delicately as possible, but I could not pass it over in silence. I will not detain the court longer; but for the reasons I have stated, I am compelled to oppose the motion."

Mr. Lowndes said, he had expressed his dissent from the larger vote originally proposed by the hon. mover, but to the present he was favourable, as it was more moderate. For twenty years, during which he had been a member of that court, he had sided with the directors when they evinced a praiseworthy desire to protect the public purse; but the regulation of 1812 he considered to be an *ex post facto* law, which operated against an enterprising man, by whose efforts £100,000 were thrown into the coffers of the Company, which, if it had not been for this regulation, would have found its way into his own pockets. When an individual suffered in this manner, on account of the policy pursued by government, it was but fair that he should be remunerated. In the case of a ship at sea, salvage was allowed to those who prevented her from being lost, or who saved part of the cargo, at the rate of twenty per cent.; and in his opinion, a similar proceeding ought to be adopted towards Mr. Wilkinson, who had put so large a sum into the coffers of the Company. It was very true that the directors took care of the public purse, but all their proceedings were not consistent; indeed, looking to the incongruity of some parts of their conduct, they appeared to form one of the most extraordinary amphibious animals that ever was seen on

the face of the earth, having a peace face in England, and a war face in India; here they lowered their interest, while in India they kept it up. He conceived, as 2,88,800 rupees was considered to be too great a sum, and 75,000 was viewed as too small, that the best way of proceeding would be, to propose a grant between the two extremes. The medium sum being moved would afford a fair criterion of the feelings of the proprietors on this question. But still though he approved of the grant now proposed, he would not give his vote, unless the question was sent to a ballot. The number of proprietors then present was comparatively few, and they had no right to erect themselves into an oligarchy to dispose of the wealth of India; but from some observations that had been made by the hon. chairman, he was led to believe, that it was expected when the directors had made up their minds on any particular subject, that the proprietors were to shape their minds precisely to the same standard. Now, with all the respect he bore to the executive body, he begged leave to protest against this principle, and to say, that the proprietors were determined to have minds of their own. He really believed, because the court of directors had made up their minds in the adjoining room that a particular sum was proper, that therefore, however unreasonable their decision was, they were unwilling to change it; but surely nothing could be more praiseworthy than the acknowledgment of an error, when, through inadvertence, individuals had fallen into one. He conceived the sum now proposed to be a very liberal one, and he was always anxious that the Company should uphold their character for justice and liberality. It was the manifestation of those qualities that produced the most sincere and lasting respect. He felt particularly desirous that the Company should maintain this character, when he recollected a circumstance that had occurred in his own family, and which had made a considerable impression on his mind. An ancestor of his had, by his abilities, devised a plan by which the sum of £25,000,000 was saved to the country in the course of a few years. It was proposed to grant a very considerable remuneration for this service; and his father, who was the heir-at-law to the person whose plan had been so signally beneficial, claimed the amount of remuneration due to him when he was of age, the individual having died while he was a minor. Government would not, however, liquidate the demand: "We acknowledge," said they, "that a very large debt is due, but we beg leave to plead the statute of limitations; you have not made your claim within a certain

number of years." Whether this was an honorable plea, or not, he left to the judgment of every honest man. It had been said in this case, that it was a long time since the debt was incurred: this made no impression on his mind; however distant the period, they ought to discharge a claim founded in justice, and shew, by their disregarding the period at which the demand was made, that they were more liberal than the government. He hoped that no lapse of time would ever be used by them as a plea for doing an unjust or a dishonest action: a claim founded on truth ought never to be set aside; for truth was like a rock, and time could not prevail against it. It was observed that Mr. Wilkinson could not legally claim any remuneration from the Company; but the question was, whether they would act up to a very strict rule, and thereby refuse that encouragement to an ingenious young man, which was the very life and soul of enterprise: by refusing this incentive to action, they destroyed the spirit of enterprise; such conduct operated, if he might use the expression, as a damper on active minds. When he spoke of enterprising men, he did not mean those who, for the last two or three years, had embarked in wild and desperate speculations. That which Mr. Wilkinson entered into was of a different nature: government waited till they had an opportunity of judging whether it would prosper or not; and seeing that it flourished almost beyond the most sanguine hopes of the projector, they exclaimed, "What a good thing we have given up; we were not aware of this: how are we to get it back again?" And then, in order to effect their object, they enact an *ex post facto* law: after Mr. Wilkinson had made his contracts, the Bengal government thought proper to take the trade back again into their own hands. He would ask of the hon. chairman whether this was a fair and correct proceeding? Had they enacted the monopoly before they knew whether the speculation would answer or not, then indeed, there would be some justice in saying that Mr. Wilkinson had no right to come forward and ask for this sum; but as they took an advantage which they had no right to assume, he conceived that Mr. Wilkinson was right in calling for remuneration. This case was precisely similar to that of salvage: the object of the sum to be gained by saving vessels when in danger, occasioned men to risk their lives; and here the object of profit had induced Mr. Wilkinson to risk his fortune, and to encounter the utmost anxiety of mind. If fortune had turned the other way, supposing the government to have left him free and unshackled, what dreadful anxiety would he not have suffered, when he con-

templated the ruin of every hope that was dear to him ! If Mr. Wilkinson, in consequence of the ill success of his speculation, had been brought to the verge of bankruptcy, would the Bengal government have then interfered in the trade ? He was well assured that they would not. While it was a losing concern, the private individual might carry it on ; but when it succeeded, the government were willing enough to take it into their own hands. It was unjust in a great and liberal Company to tolerate such a proceeding. He called them great and liberal, for he would do them the justice to say that they were one of the most liberal bodies in the whole world. The servants of no government were paid so well as theirs ; and he would ask, if they were generous and beneficent on all other occasions, why should they be narrow and contracted on this ? Was it because the claimant was an honest young man, standing on the pedestal of independence, having no friends, no relations to assist him, having no connections with persons in power, who might forward his interests in this country, that his just claim to remuneration was to be shut out ? Such a principle was too monstrous to be countenanced for one moment. The persons who were appointed to consider his case were not ranked among his friends. He had no connection with them, consequently they could not act under any improper bias, and were of course peculiarly fitted to be the arbiters of this question. One of them (Mr. Seton), he believed, had carried his calculations rather too far. He was a young man of ardent mind, and he (Mr. Lowndes) would always draw a line between a spirit of enthusiasm in favour of enterprise which was generally to be found amongst young men, and that cool and calculating disposition which was most frequently the concomitant of old ones. He would neither be guided in his decision by the opinion of old men, in whom the spirit of enterprise was dead, nor by the representations of young men whose hopes and feelings were too ardent and sanguine. He was extremely glad to have had the pleasure of addressing the court in the way he had this day done ; a pleasure which he could scarcely boast of for many years. He had not been annoyed by those interruptions of which unfortunately he often had reason to complain. This he conceived was a proof of the justice of the cause in which he had embarked : it was a proof too of the cogency of his arguments, for silence gave consent ; and gentlemen did not make any observation in opposition to his sentiments because they knew they could say nothing to the purpose. Whatever had been said against Mr. Wilkinson's claim must pass by dis-

cerning men "like the idle wind which they respected not ;" they made no more impression than a light cloud on the summer's day, which was noticed only for a moment. He should now sit down, impressed with the strongest idea that the arguments he had used in favour of the present motion would have the best effect since they appeared to be supported by public opinion.

Mr. S. Dixon said, the hon. proprietor had claimed a certain degree of merit, (which he hoped he would often have to boast of,) because he was heard with silent attention. He would tell the hon. proprietor one reason why he had this opportunity of congratulating himself ; it was, because he began his speech before gentlemen thought of their dinner or of going home. If the hour had been later, he had no doubt that the hon. proprietor would have been favoured with some of those marks of approbation which generally accompanied his speeches. He had adverted to the manner in which this question was treated by the executive body, in a manner that he did not approve of. He hoped he should always do his duty towards a body of men like the directors of the East-India Company, who were, in general, placed in their difficult and delicate situation after a severe struggle. To insinuate that they were actuated by mean or improper motives, was he thought, exceedingly unjust. Leaving every other consideration out of the question, they would not hazard the loss of the situation which they attained with so much difficulty, by favouring any proceeding that could be made the subject of censure. He believed there was not one of the directors or of the proprietors, who would not cordially agree to the claim of Mr. Wilkinson, if, in their judgment, it appeared to be well founded. Having read Mr. Wilkinson's own statement with the attention which it deserved, and with that bias on his mind which, he believed, operated on the mind of every man, when an individual was opposed to a great body (a feeling which led him to hope that Mr. Wilkinson could substantiate his claim against the Company) he was unwillingly led to form this conclusion, that Mr. Wilkinson had failed in proving his case. After giving his statement the most mature consideration, he was of opinion that he never had one title of claim on the Company for losses, either real or imaginary. An hon. proprietor repeated his words, but he believed they were correct. Real losses were those which could be proved, but a loss which was made to depend on a speculation, liable to prospective contingencies, was, in his mind, perfectly imaginary. This case had assumed a very peculiar form. He could not stay till the termi-

nation of the last court; but long before he retired, he thought that the question had been most maturely considered; and on reading an account of the proceedings that occurred in his absence, he found that the very motion which was now brought before them had been proposed and negatived. In the first instance, the remuneration was estimated at 2,88,000 rupees, that was the first question; but the hon. proprietor (Mr. Forbes), in conformity with the general feeling of the court, agreed to move for a smaller sum; and the second question, which was also lost, related to the precise sum now removed for. He, therefore, could not avoid expressing his surprise that it had been suffered to become a question again. He believed the only difference was, that in the former case interest was called for, which part of the claim was now abandoned. He was very much concerned, after what had occurred at the former court, that those who wished to serve Mr. Wilkinson should bring forward the question in this shape; he thought that gentleman's friends would have done well if they had avoided the proceeding. It was said that an universal feeling prevailed in favour of granting compensation to Mr. Wilkinson. For his own part, he thought that no compensation was due to him; but as the agents of the Company in India had, in some degree, by admitting the claim, tied up the proprietors to a certain line of conduct, he was willing (though he thought no remuneration was due) to give up his better judgment, and grant to Mr. Wilkinson the sum recommended originally by the court of directors. But he would not, after this day, hold himself bound to pursue the same line of conduct. He was ready to hold up his hand in favour of the grant proposed by the court of directors; but if the question were put on a larger sum, he would be free to act as he thought, and he certainly would oppose it. As the question had been so fully discussed, he would not trespass on the court further, although he could with propriety adduce several reasons against agreeing to any grant of this kind. He would satisfy himself with this brief declaration, that, in his opinion, Mr. Wilkinson had no legal claim; but considering the peculiarity of this case, he was ready to vote for the sum of 75,000 rupees. Perhaps his friends would feel the propriety of confining the motion to that sum. There was an old and a very just proverb, "save me from my friends, and I will take care of my enemies." He had very often seen the injudicious zeal of friends do great injury, when it was intended to effect some signal benefit. Perhaps it might be the case in this instance. The hon. mover had repeatedly in the

course of his speech, mentioned Mr. Wilkinson as his friend. But however the exercise of friendly feeling might be proper in their own individual concerns, friendship ought to have no force, when men were called on to discharge a public duty. If it were intended to persist in this motion, and if it should be carried, he hoped all the proprietors of East-India stock would be allowed to speak their sentiments, by sending the question to a ballot. Not only this, but all questions of public importance, all questions on which large sums of money depended, should be decided in that manner.

Mr. Hume concurred entirely in the last observation of the hon. proprietor. Undoubtedly, they had been assembled, not to decide this question as the friends of Mr. Wilkinson, but to perform a serious public duty, which had devolved on them as proprietors of East-India stock. He thought, however, that the hon. proprietor was not aware of the motion then before the court. He seemed to suppose that the court of directors still retained the intention of granting Mr. Wilkinson a certain sum. That, however, was not the case; and he regretted the situation in which the question now stood, in consequence of the proceedings that occurred at the former court. He lamented that an opportunity was not given on that occasion to set the matter at rest. Of those proceedings he would say nothing, whatever his feelings might be. The question now was, not whether Mr. Wilkinson should receive £7,500 or £22,500; but whether he should get the latter sum or no compensation whatever? Now he would ask the hon. proprietor whether it was consistent with all his expressions of liberality and justice, to turn round on Mr. Wilkinson, and tell him that he should receive nothing?

Mr. Dixon—"I said that I was ready to give what was originally proposed."

Mr. Hume said, the intention of the hon. proprietor, as the matter now stood, could not benefit Mr. Wilkinson. A motion had been made to grant him the sum of 1,80,000 rupees, which the hon. proprietor declared he would oppose; but he did not move an amendment to grant the sum of 75,000 rupees, consequently his opposition went virtually to the extent of denying all remuneration, as there was no alternative proposition before the court. Here he felt himself called on to enter his most decided protest against the principles stated from the chair this day. If there were any point affecting their interests, to which they ought to give immediate and decided attention, in preference to every other consideration, it was the declaration of the hon. chairman, that it was



wrong for the proprietors to have the opportunity of originating grants out of their own funds. (*No, no!* from several proprietors.) What the hon. chairman said was, that he lamented the existence of a power before the bar to augment grants of money. (*No, no!*)

The *Chairman*—"The hon. proprietor has misunderstood me. I said my wish was to preserve the power; but that, on the present occasion, the exercise of it formed a special precedent, and, as I thought, a bad one."

Mr. *Hume* said, he was not mistaken in the meaning of the expression, although he might not have quoted the words correctly. If it were a simple ordinary observation he might have misunderstood it, but the impression was firmly fixed in his mind. Did not the hon. chairman state, that if such a practice were persisted in it would lead to ulterior proceedings? What did this mean? neither more nor less than that a question should be raised to try whether this court had or had not a right to the power they had so long exercised. He protested against any such doctrine, and more particularly when it came from a gentleman who was filling the high office of chairman. He contended, and he should always maintain, that the proprietors had the power of originating and of altering grants of money, whenever they pleased to do so.

Mr. *Impey* rose to order. It was, he thought, rather too much when the hon. chairman had disclaimed the sentiment imputed to him, for the hon. proprietor to persist in attributing to him expressions which, in his conscience, he believed he had not made use of. What the hon. chairman said was this: "If you proceed in this course, evil will in the end arise from it; and the legislature will feel themselves called on to interpose for the benefit of the Company. I wish, most earnestly, that these powers should remain as they are at present, and I hope the proprietors will not adopt a line of conduct which is calculated to induce legislative interference." The hon. chairman had not expressed himself hostile to this power; on the contrary, he declared that he was anxious for its preservation.

Mr. *Hume* said, there was no necessity for calling him to order. The learned gentleman had exactly repeated the sentiments of the hon. chairman, and he undoubtedly objected to them. In part of the observations which fell from the hon. chairman he entirely concurred; the authority by which this grant was originally recommended (he alluded to the Bengal committee) deserved to be seriously scrutinized, and ought not to be taken up in the light and unhesitating manner with which some gentlemen had received it.

He could not go along with them in the data on which they had proceeded. It was, however, the principle they were to look to, and having conceded the principle that they were bound to remunerate Mr. Wilkinson, the next question was, what the amount of that remuneration should be. Now he did hope, as the court of directors were so anxious that no grant of money should originate from without the bar, that something would have been proposed from within it; but if they would not offer any motion upon the subject, they had only themselves to blame if the proprietors did that which the executive body neglected. He could not go the whole length with the hon. gentleman who had moved this question, whose proposition he conceived embraced too large a sum. He agreed in the principle that remuneration should be awarded; and if a grant were proposed between 75,000 and 1,80,000 rupees he would vote for it. They were not, however, in a situation which enabled them to embrace any alternative at present, as there was but one sum before the court. He begged to call the attention of the court to the minute of Mr. Seton, in which he stated, that Mr. Wilkinson had every right, short of a legal right, to claim compensation, and that he was justified in expecting that his case would be seriously considered, as it stood on grounds peculiarly strong, and ought to be decided on principles of the utmost liberality, especially as the monopoly had been enforced by the party who reaped the immediate benefit of it." Now, in appealing to Englishmen and merchants, he would direct their most serious attention to this passage. If there were words in the English language stronger than those used by Mr. Seton, or which could more decidedly point out the justice of Mr. Wilkinson's claim, he certainly could not find them. They were words which every gentleman ought to weigh and consider before he gave his vote. In applying this expression to Mr. Wilkinson's case, they ought to reflect, how far they could receive as just the statement of the hon. chairman, "that the government abroad acted entirely on political principles in directing the resumption of this monopoly." He admitted, if the Indian government had proceeded on political grounds, that it was impossible for Mr. Wilkinson's claim to stand. But political expediency was entirely out of the question, as was emphatically declared by Mr. Seton, in the following words:—"Mr. Wilkinson is entitled, not only to remuneration for all losses sustained by him, but for the deprivation of commercial profits, which, if it had not been for the revival of the monopoly, he would have enjoyed; by which revival, government, as a com-

mercial body, reaped the fruits of his industry." This was putting the dispute on a proper footing. It was a point at issue between a company of merchants trading to the East-Indies and a person allowed to embark in commercial pursuits there, as to which of the parties was entitled to the profits of a fair and legal trade, which the private individual had commenced. Now he thought, considering this to be the fact, it was extraordinary that the directors did not persist in their recommendation, waiving all the mistakes which had taken place, and leaving the proprietors to decide whether the amount was just or not. In his opinion the sum of 75,000 rupees, which had been agreed to by the directors without consulting any data whatever, was not what the court of proprietors ought to vote, if, as he was prepared to shew, there were data on which they could proceed. He might have taken an erroneous view of the question, but he had examined it attentively, and was as anxious to do justice to Mr. Wilkinson as the hon. mover could possibly be. He would state to the court what his view of the question was, and, if they agreed with him, they would have the opportunity of obviating the charge of niggardiness, which would attach to them if they voted too small a grant, and of extravagance, with which they might be accused if they voted too large a sum. Those who had read the papers that had been laid before the court could not but have noticed the dissent of several of the directors, who stated that no remuneration ought to be given to Mr. Wilkinson. Although the board of trade in India, the Governor-gen., and the Bengal committee had declared that Mr. Wilkinson had a fair and equitable claim to compensation, this dissent wholly denied the principle, and boldly asserted that Mr. Wilkinson had no claim whatsoever. Anxious as he was at all times to give to the opinion of persons in high situations the weight which they might justly be entitled to, he was willing, before he stated his view of the subject, with reference to the *quantum* of remuneration, to examine the dissent of the hon. directors, and to point out the futility of the arguments which they adduced in support of the doctrine, that Mr. Wilkinson ought to receive no compensation at all. He could without any difficulty prove, that the hon. directors who signed this paper had been inconsistent in what they had done. He regretted that an hon. director who took an active part in the last debate on this subject (Mr. Pattison) was not present, because he was one of those who dissented from giving any remuneration to Mr. Wilkinson, and he wished him to hear what he (Mr. Hume) had to say on this subject. This protest was signed by

nine most respectable directors; but he considered their statement, that Mr. Wilkinson had sustained no actual loss, as one of the most complete quibbles that ever was brought forward in opposition to a claim for compensation. Mr. Wilkinson having been prevented by the hand of power from completing engagements, which, if effected, would have produced large profits, the directors who signed this dissent turned round, and gravely declared that there was no actual loss. In the name of common sense how could there be an actual loss, when the individual was prevented from proceeding with his contracts: this was certainly the weakest argument ever adduced by any body of commercial men. Next it was said, that it would be incompatible with the interests of the Company to admit this claim. Good God! were they met there, after being praised by all ranks for their liberality and justice, to be told that it was incompatible with the interests of the Company to do a strictly equitable act. What was this but to say, that if the Company did one act of justice, claims equally well founded would so multiply that they would not have cash to meet the various demands. He protested against such a doctrine; he loved economy as much as any man could, but it was a just and proper economy, and he should be ashamed of himself if he asserted that it was incompatible with the interests of the Company to grant relief when justice told him it ought to be conceded. Here a great and powerful body were opposed against a borne-down individual: his claim was admitted by various authorities to be a just one, and yet this dissent declared that no redress ought to be afforded him. If he had signed such a document he should have felt that he had disgraced himself. But it was said, if the Company acceded to this demand, all those who had a claim on their justice would immediately appeal them. In the name of justice, if they had claims, why should they not appeal? (*Hear, hear!*) He was sure that the court would not concur in any such sentiments, and that, in deciding on this case, this species of reasoning would be entirely set aside. The next argument insisted on by the dissentients was, that the political importance of the question far transcended its interest in a commercial point of view. Now he thought he had shewn, from the minute of Mr. Seaton, that the re-enactment of the monopoly was not originally considered as a political, but was viewed altogether as a commercial measure; the question then was, when the Company got a profit by enacting this monopoly, which Mr. Wilkinson was prevented from making by the interference of the hand of power, whether he

should or should not be allowed to receive a part of it. This point was so ably argued by Mr. Seton that he would not say a word on the subject. The dissentients next stated, that the reasoning of the committee of warehouses was altogether unfounded. This undoubtedly they were at liberty to say, as they viewed the question in a light different from that in which the committee of warehouses saw it; but he did not think there were six merchants in the city of London who, after reading the documents, would say that the claim itself was unfounded. This part of the dissent bought also he thought to go for nothing. Next they asserted that it was a most novel principle to allow interest on a boon; that, in fact, such a proceeding was absolutely monstrous. He was very sorry that gentlemen would not be consistent, and act towards one individual in the same way as they acted towards others. He found affixed to the dissent the signature of one or two directors who, on the 22d of June 1814, supported a grant which was proposed in favour of a very distinguished individual, Sir John Malcolm; the proposition was to vote him a sum of 50,000 rupees with interest from a certain period. He (Mr. Hume) opposed the allowance of interest as novel and unprecedented, and, in conformity with his view of the case, he moved an amendment to the original motion. On that occasion one of the individuals (Mr. Elphinstone) who signed the present dissent stood up in his place as chairman, and said, "I appeal to the hon. gentleman who objects to interest, whether any thing can be more fair or just than to pay interest in 1814 to an individual who, in 1808, had a claim on the Company for 50,000 rupees, the settlement of which had been postponed?" This was the answer given to him in 1814 by the hon. director, who now expressed himself so strongly adverse to granting interest to Mr. Wilkinson. The resolution proposed at the time to which he alluded was, "that a sum of 50,000 sicca rupees, with interest at 8 per cent. per annum from the time of his quitting India, should be paid to Sir John Malcolm." He (Mr. Hume) stated that it was impossible for any proposition of that kind to be brought regularly before the court; and he explained how it might operate against the interests of the Company; he therefore moved, "that a gross sum of £7,000, without any interest whatever, should be granted to Sir John Malcolm, as a testimony of the high estimation in which they held his services." An hon. director, on that occasion, argued, in a very ingenious manner, that it was not worth while to make the alteration he proposed, as it would create a very trifling difference of amount, which, however, would

render it necessary to call another court. His (Mr. Hume's) proposition being about £15 above the sum recommended by the court of directors, including interest; this he admitted to be a valid objection under the by-law, to meet which he ought to have moved that the sum of £6,985 should be granted instead of £7,000. This was the objection made at that time, and hon. gentlemen, whatever their sentiments might now be, did not then quarrel with the principle of allowing interest on a grant. He was very much amused on the last court day with the good humoured tirade which an hon. director (Mr. Pattison) addressed to those who supported Mr. Wilkinson's claim; he indulged in a great number of remarks on the impropriety of moving for sums of money with interest in cases where merely the liberality of the court was concerned, and he made various observations on "oriental embellishments," which he seemed to suppose those who had visited Asia had introduced into that court. It was however very singular that this rate of interest, namely, 8 per cent., of which he complained so much, was no more than what the directors themselves in the year 1814 had supported in opposition to his views. When the hon. director, to whom he had just alluded, threw out an imputation against those who felt interested in Mr. Wilkinson's behalf, as if they had been canvassing for votes amongst the proprietors, and were intent on introducing oriental extravagance into the grants of the court, he must take leave to say that he was not warranted in making the remark. He was sorry the hon. director was not present, for he liked an individual who would manfully support his opinion, and he thought the hon. director deserved his thanks, and the thanks of the court in general, for the plain and open manner in which he always delivered his sentiments: but when he was making such observations he should have considered that he was exposing the court of directors itself: in fact, the hon. director had made one of the grossest charges that could be imagined against both the committee who proposed the present grant, and the former committee which recommended a sum to be paid with interest to Sir John Malcolm. The next objection in the dissent was, that if the Bengal government had allowed Mr. Wilkinson to proceed in this manner, it would be virtually placing in his hands the power of creating a monopoly. Now when they recollected the number of districts in India in which salt-petre might be obtained, this apprehension must appear totally groundless. That a body of directors, knowing any thing of the mercantile affairs of India and the peculiar condition of Europeans there, should

coolly declare that if the government admitted an individual to go on with his trade, he not having a command over the one fifty-thousandth part of the saltpetre in India, it would enable him to erect a monopoly, was, like all the rest of the arguments contained in this protest, not worth a moment's attention. Having shewn that Mr. Wilkinson was, on principle, entitled to the amount of his losses, he would now state what he thought would be a proper compensation. For reasons which they had stated, the board of trade fixed on the sum of 75,000 rupees in the lump, as the fit measure of compensation. Their opinion was adopted by the committee of warehouses; but they might as well have granted three lacks as 75,000 rupees on the grounds stated, there being no *data* on which the committee, or the court of directors, or that court, could come to a decision. The members of council, to whom the case was referred, had, he thought, rather over-calculated the loss, or drawn deductions not altogether consistent with the premises laid down. He was inclined to give most credit to the calculation of Mr. Seton, when he awarded 1,80,000 rupees, because he had certain *data* to calculate on, and he would say, if that were the only sum which, arguing on fair *data*, they could arrive at, he would vote for it; but as he thought it was not altogether correct, he would state his own calculation. Mr. Seton said, "assuming that the calculations of the committee are just, and that Mr. Wilkinson's loss is clearly made out, I think, concurring in their reasoning, that 1,80,000 sicca rupees is the lowest sum that can be awarded." Now he (Mr. Hume) had looked carefully to the calculation and the reasoning of that committee, and he did not think that they bore out the grant of the sum of 1,80,000 rupees. He agreed that Mr. Wilkinson was entitled to a recompence for the profit which he might have made for two years, liberty being given him to manufacture saltpetre during that time. In supporting that principle Mr. Seton was perfectly right, but he differed from him with respect to the amount of loss, and he would state why. He found in the mass of papers that were laid before the court, a letter from Mr. Wilkinson of the 27th of Sept., in which he offered to supply the government with saltpetre, not at a profit of two rupees per maund, but at an advance of 12 annas per maund beyond what he was to pay according to the terms of his contract. Here, then, Mr. Wilkinson had himself given them *data* on which they could proceed; he having expressed himself satisfied with that amount of profit, the sum might be calculated which he would have thus obtained if his proposition had been agreed

to by the government: to this should be added the amount of penalties, and the whole would form the gross sum to which he conceived Mr. Wilkinson was fairly entitled. If he offered, his capital being employed in buying saltpetre from the nooneahs, to sell it again to the government at an advance of 12 annas per maund (the use and interest of capital being to be deducted from this profit), he did not think that it was using him hard if they gave him the same advance, namely, 12 annas per maund, when he had not been called on to employ any capital at all. The quantity of saltpetre which he would have manufactured in two years was 110,000 maunds, but for 20,000 he had been re-imbursed, there remained therefore 90,000 maunds, on which he was entitled to receive, at 12 annas per maund, 1,080,000 annas, or 67,500 rupees, being the amount of profit he was willing to take from the government. He thought, though he had no right to make a claim for profits for the remaining three years, that the penalties should be made good to him. Mr. Wilkinson asked very properly, "how could I prosecute for penalties, when the regulation of the government would be pleaded in bar of any action I might bring." In his opinion the government who caused this loss ought to make the whole of it good. For the first two years 12 annas per maund profit ought to be allowed on the quantity of saltpetre he had already stated, making a sum of 67,500 rupees; and on the last three years, the penalties amounting to 60,000 rupees should be paid; the award would then be 1,27,500 rupees, or in English money £15,000. He would now say one word to shew that the calculation of the Bengal committee as to profits, could not be realized. The penalty under which Mr. Wilkinson held the contract was six annas per maund, and the saltpetre was to be delivered to him at the rate of one rupee seven annas per maund: now, if this article rose in the course of the proceeding to two rupees two annas per maund, was it too much to say, that the nooneahs would have paid to Mr. Wilkinson the amount of penalty, and taken the article entirely into their own hands? They could have sold it at two rupees two annas per maund, and put the difference in their pocket, after paying him six rupees per maund, being the full amount of his penalties; it was therefore too much to call on the Company for two rupees per maund profit. They knew that the price of saltpetre, in its unrefined state, rose to two rupees two annas, and in its refined state, to six rupees per maund, the former being 11 annas, and the latter two rupees more than the contract price which he stipulated to pay for it. This being the

case, he contended that Mr. Wilkinson could not have brought to market the quantity for which he had contracted; the contractor would have paid him the penalty, and it was quite impossible that he would have procured so much saltpetre as would have enabled him to realize the profit on which Mr. Seton and the committee had formed their calculation. He thought he had shewn, that if they gave him 12 annas per maund on 90,000 maunds of saltpetre, the court would be acting in the spirit of liberality and justice; they would not be voting him a sum of money at a venture, since they had the best data for concluding that this would be a fair remuneration. If he were a juror, he positively thought that he could not go beyond the sum he had mentioned, were he deciding on Mr. Wilkinson's claim. It was not at all unreasonable to call on the court to give this gentleman a proper compensation when they had data to guide them; but he never would consent to a grant which was not founded on any data whatever. He was pleased with the jealousy which the directors manifested where the cash of the Company was at stake; but could they, as merchants and men of honour, satisfy themselves that it would be proper to grant a specific sum of money merely because it was the lowest proposed, when they had no data on which they could fairly proceed; for it had been stated from the chair, that the directors were not satisfied with the reasoning of the board of trade. The question then for the court to decide would be, whether they would grant to Mr. Wilkinson a sum of £22,500, which was not supported by any data, or a remuneration of £15,000, which he had proved, from the statement of Mr. Wilkinson himself, would be a just sum; they had here a medium course to pursue, neither stingy or mean on the one side, nor profuse or extravagant on the other. He had a very great inclination to move as an amendment, that instead of 1,20,000 rupees, they should grant the sum he had stated; and he did hope that the court of directors, in extending their liberality a short way, would not feel that they sacrificed the interests which had been entrusted to their care. The sum which he proposed was equally distinct from the two extremes; it was moderate and yet just. He was within the rule which enabled him to move this as an amendment on the moment, since what he proposed was less than the grant of which notice had been given. Those who supported Mr. Wilkinson's interest would do well to consider whether it was not better to concur in this middle course, and reduce the sum at once from 1,50,000 to 1,27,500 rupees. He confessed that he could not agree to the larger sum;

and having made the court acquainted with the data on which he founded his calculation, he would move, if any person would second the amendment, that instead of 1,80,000 rupees 1,27,500 should be inserted.

Mr. Twining said, as it was necessary that the amendment of the hon. proprietor should be seconded, he rose for that purpose, but certainly would not intrude long on the time of the court. The case had been so fully and so ably argued that it was impossible to say any thing new on the subject. There were so many strong points in favour of Mr. Wilkinson, that he thought it would be very unjust not to grant him some remuneration; he could not, however, agree to vote the sum mentioned in the letter addressed to the court of directors by the hon. mover and several other gentlemen. He therefore felt great pleasure in seconding the amendment, and hoped it would be unanimously carried.

Mr. Elphinstone said, though he was very ill able to enter into a discussion of this sort at the present moment, yet as an hon. gentleman had made several remarks of which he did not approve, he could not suffer them to pass unnoticed. In one part of his speech he stated, that those who signed the dissent had been guilty of bringing a quibble before the court. He (Mr. Elphinstone) had been acquainted with the court nearly forty years, and he appealed to the proprietors whether he had not always proceeded straight forward. He threw back the imputation to the gentleman from whom it came; and he averred that he had never in his life descended to quibble, but had always acted openly and candidly. The dissent on which the hon. proprietor had commented was intended for the court of directors, and not for the court of proprietors.

Mr. Hume interrupted the hon. director. The dissent had been regularly laid before the proprietors, and he had therefore a right to notice it.

Mr. Elphinstone said, his reason for signing the dissent was, that Mr. Wilkinson, in his opinion, had no claim of right in either law or equity on the Company: to allow him interest therefore on that which must be considered a gift, and a gift only, was a most extraordinary proceeding. That it was a gift was clear, for if it were otherwise they would not be arguing the case in that court. Gentlemen should recollect, that by the resolution of the court of directors, they were called on to give away no less a sum than £10,000 from the Company's money. If Mr. Wilkinson had any right to such a sum, the supreme court was open to him and he might have sued for it there; but he declined that course, for he felt

that he had no claim of right in law or equity. He complained that wrong was done to him, but the Company had acted in a way which was strictly legal. It was said, that the Company had no right to monopolize the saltpetre trade, but gentlemen seemed to forget that the lands from which this saltpetre was to be made were the exclusive property of the Company, over which they had absolute control and dominion. Government were pleased (he would not say wisely, indeed he thought very unwisely) to withdraw the control they had long maintained over this trade; but he begged to know with what reason any man could contend, that they had not the power to resume it again? Beyond this, why should Mr. Wilkinson, or any other individual, enter into contracts for five years, or for two years, with respect to this trade, when it must have been perfectly understood that government were authorized to resume the right that had been laid down for a time, whenever they thought fit to do so? A person taking such a course must have been aware that the government at home might order an immediate resumption of the monopoly. Under these circumstances, how could Mr. Wilkinson justify his entering into a speculation that was to extend over five years? he must have known, in point of fact, that his contract was not worth one farthing: therefore he dissented from the resolution of the court of directors, and he conceived that he had very good ground for doing so. He stood there, no more interested in the question than the gentlemen before the bar were. His situation, in that respect, did not differ from theirs. He was bound by motives, as strong as those which operated on the minds of the proprietors at large, to perform his duty, and speak what he thought openly. He saw in that respectable court many faces that he did not often observe there, and he called on those gentlemen and on the great body of proprietors, to pause a little before they decided, and not to give their money away, when no case was made out that could justify the proceeding: in his opinion it would be a mere waste of the public money although it might be coupled with the epithets of liberal and generous. The hon. proprietor (Mr. Hume) had introduced the case of Sir John Malcolm, as a proof that the court of directors acted inconsistently; but would they compare Sir John Malcolm with Mr. Wilkinson? would they put the eminent services for which, in 1814, they were rewarding that great character, in competition with the case which, on the part of Mr. Wilkinson, had been laid before the court? The sum voted to Sir John Malcolm was not a boon or gratuity, but a ~~valuable~~ compensation

granted for losses sustained by him in the performance of a variety of public services. This was the mighty story which the hon. proprietor had found out in order to sustain his opposition to the dissent which he (Mr. Elphinstone) and several other directors had signed; these were his principal reasons for dissenting from the opinion of the majority of the court of directors. He saw, in the first place, that Mr. Wilkinson would not be contented with 75,000 rupres; and, in the next place, he never would in such a case allow interest; because it would be a sort of admission of a right, and he contended that no claim of right existed; and it would also be a precedent for granting interest on future gratuities. He felt peculiarly adverse to the grant, because, when some of Mr. Wilkinson's best friends in the court of directors were asked, "will he be content with what we propose?" they said, that that probably would not be the case. Therefore, when he found that this was only to be the step by which Mr. Wilkinson intended to climb a little higher, as soon as he had effected his object, he (Mr. Elphinstone) expressed his unqualified hostility to the resolution. These were reasons which weighed strongly on his mind. If what he had stated had not been the case, he perhaps would have been willing to grant some relief, for it had always been his wish to support the recommendations of the government abroad, even when they did not appear to be quite right. Had he not seen decisive cause for refusing his acquiescence to a grant of this kind, he would have complied with the wishes of the government, although his conduct might in some degree be contrary to his judgment; but the reasons he had stated for dissenting were too powerful to be lightly thrown aside: on those reasons he stood in the court of directors, and he would still take the same ground. They had heard the name of Sir John Malcolm mentioned, and most happy would he have been if any gentleman had stood up and proposed that some reward should be given to that distinguished individual, to Gen. Munroe, Gen. Doveton, or twenty other celebrated characters, who had been rendering the Company mighty services, services which they could never repay; but of these gentlemen, or of their services, not a syllable was said. The friends of Mr. Wilkinson asserted that he had a right to claim remuneration; he denied that any such right existed, for, as he said before, Mr. Wilkinson was not justified in entering into a contract for five years. The power of the Company over the saltpetre trade was likely to be resumed, and that fact Mr. Wilkinson must have known exceedingly well; why then should he speculate on

such an extent? He might see a reason for giving something to the claimant from motives of pure liberality, but certainly not on any other grounds.

Mr. Inglis said, he rose to address the court with very great reluctance; and he should not have thought it necessary to make any observations on this occasion, had it not been for some remarks of the hon. proprietor (Mr. Hume) with respect to the proceedings which took place in the committee of warehouses on the subject. The hon. proprietor entertained an opinion that that committee founded their report on the minute of the board of trade, without reference to any other document, and he had given the court a calculation of his own. It was a principle of the British government, and of every free government, that where a subject suffered from an act of state, he ought to be remunerated by the state; this principle he admitted, and he had acted on it throughout the whole of this proceeding. When the subject was first referred to the committee of warehouses, it was recommended to them by the late chairman in this way: "Here is a mass of papers upon which you are to make some award; they come from a gentleman who complains that he has suffered a great loss in consequence of the conduct of the Bengal government. I wish every gentleman to read those papers and come to an opinion on them, and I will give you a distant day for that purpose. I hope you will come to the consideration of this question with the utmost impartiality." After the papers had been read by the members of the committee, a great dissimilarity of opinion prevailed; some gentlemen were in favour of the claim, whilst others, acting he was sure from the honest conviction of their minds, were of opinion that there was no ground for giving to Mr. Wilkinson any remuneration or indemnity for the losses he said he had sustained. The chairman, in order to bring this point to issue, put the question, "whether Mr. Wilkinson was or was not entitled to indemnity?" which was decided in the affirmative. They then came to the question of the extent of remuneration which the case called for; on this part of the subject he could not speak so fully as he wished, because one of the papers on which they chiefly depended in coming to a decision, was lost or mislaid. The committee, however, did not adopt the sum awarded by the board of trade in Calcutta, and he believed that not one member of the committee had made up his mind on the minute of that board; it happened, however, that several gentlemen concurred in thinking that a sum of 75,000 rupees ought to be granted to Mr. Wilkinson, which was 3000 rupees more than what was awarded by the board

trade. It was then suggested that it would be better to strike off 3000 rupees, and give him 75,000, with interest from the day the board of trade made their report: this was the principle on which they had acted. He had to state, that no paper was laid before them from which they could collect any certain data; they adopted a principle which would give to Mr. Wilkinson a fair compensation for the profits he would have made during the two seasons which had been lost. They made a calculation of the probable profit which Mr. Wilkinson would have gained in each year on 55,000 maunds of saltpetre, which they estimated at 75,000 rupees; having done this, it occurred to some gentlemen that the board of trade had awarded very nearly the same sum, and as it was probable that the board had acted on documents which the committee had it not in their power to examine, it was thought that the better way would be to award the sum which they had agreed on. The committee, therefore, concurred in recommending a grant of 75,000 rupees, believing that the board of trade, who originally proposed that sum, had better data to proceed on than any that was laid before the committee. After attending to every thing that had been said, he continued of the same mind, that 75,000 rupees was an ample remuneration; and he thought that the sum now moved for was extravagant and unreasonable. Standing there in a most responsible situation, he conceived that the executive body would be exceedingly culpable if they did not oppose it. This case, it was necessary to observe, was brought before the committee in a very crude and naked state. In a great number of instances similar to this, which he had seen elsewhere (in which the government, not this company, were concerned), a statement of the pecuniary loss of the party was regularly made out, but in this instance, no statement of the kind was submitted to the committee by Mr. Wilkinson, nor did they know on what data the committee which was appointed in India had proceeded. That committee, however respectable, however eminent the individuals of whom it was composed, had certainly overstepped their duty: they were not appointed to consider what quantum of remuneration was to be awarded, it was for them merely to state the facts, and leave it to the government to decide on the remuneration; they had, in truth, done that which they had no authority for doing. He (Mr. Inglis) rose principally to correct the statement of the hon. proprietor, that they had adopted the minute of the board of trade, any had proceeded to a decision without an proof: they had decided on the best materials that had been afforded them.

If Mr. Wilkinson had given them proper accounts, they would gladly have acted on them; but he did no such thing, and they were obliged to form their judgment on very scanty materials indeed. Beyond the two seasons for the losses incurred, during which the committee were willing to compensate Mr. Wilkinson, that gentleman asked for a remuneration for the three following years. This claim the committee could not think of recommending; and his (Mr. Inglis's) idea was, that if Mr. Wilkinson had prosecuted the business in which he had embarked with as much avidity as he pursued this claim, it would have been better for him. But from the year 1813 he gave up the prosecution of the one object, and looked to government for the completion of the other; and at length he came to this country, to procure that compensation which he said he had a fair right to claim. Mr. Wilkinson, it was observed, had capital equal to all his commercial pursuits, and that, when he was prevented from proceeding with the saltpetre trade, he had diverted that capital to other objects. Perhaps this was true; but it was most certain that he had not employed it in this speculation. He was desirous merely to put the court in possession of the view on which the committee of warehouses had acted; and he could assure the proprietors that this subject was not discussed lightly or wantonly, but that it was considered with a strong desire to support the interests of the Company, and at the same time to give all proper relief to the individual.

Mr. Hume said, what he stated was not intended as any reflection on the committee. He had been led to believe, that as the report of the committee recommended a grant of 75,000 rupees, the same sum having been previously proposed by the board of trade, that they had adopted the minute of that board as the ground on which they were to act.

Sir Charles Cockerell said, that having been the individual who on a former day seconded the amendment for an increased grant, and having also signed the letter calling on the directors to convene the present court, he hoped he would obtain a patient hearing while he said a few words. He was unable from indisposition to attend the court earlier, but he could not resist the inclination he felt to present at the decision of this important question. In the first place, in order to clear the ground a little, he would allude to the insinuation which was contained in the statement that new faces appeared in the court this day, and that an extraordinary generosity, a lavish disposition to part with the Company's money generally prevailed. For the second time, they were told by a worthy proprietor

(Mr. Dixon) that the feelings of friendship appeared to be actively engaged on this occasion, and those feelings he seemed to think influenced the hon. mover, who, in fact, only came forward to assist an injured man in a struggle with a great company. For himself, he could say that Mr. Wilkinson was a person with whom he was totally unacquainted, until his case was laid before him; he had not, until that period, the slightest intercourse with him, directly or indirectly, either as an individual acquaintance, or as a correspondent with the house of business in which he was concerned. But he hoped the court would do him the justice to believe, that even if he had known Mr. Wilkinson in the course of his transactions as a member of a house of business that that circumstance would not influence him in the course he would adopt as a proprietor of East-India stock. He was happy, he confessed, to see those new faces in the court to which the hon. director had alluded. He had for the hon. director the highest respect; and he might recollect, when he last stood for the direction, that he had alluded to the long acquaintance which had subsisted between them. On that occasion, he (Sir C. Cockerell) said to the hon. director, "this day, this very hour, forty years since, I was sailing in your ship." This certainly was not connected with the question, but it proved the length of their acquaintance, and he might be allowed to say, although he differed from the hon. director on this question, that however highly he might be respected in that court, no man could possibly entertain for him a higher or a more sincere respect than he did. He (Sir Charles) disclaimed every idea of lavish generosity being exercised on this occasion, on account of the feelings of private friendship. He contended that Mr. Wilkinson had a right to claim compensation on every equitable principle that ever regulated the conduct of mercantile men. Something had been said relative to the enactment of this monopoly, and the hon. director had followed up the idea, by arguing that the Company had a right to impose such a restraint, because they were proprietors of the soil. Now, admitting, that they had this grant originally, in his view of the subject it was matter of great doubt whether a gift of territory conveyed with it a right to exercise arbitrary power over individuals, whenever a government pleased. Allowing, however, that this was the fact, how did the case stand with respect to Mr. Wilkinson? Did not the government declare to the public by their own proclamation that they gave up this right? that was the question. Having given it up, could they resume it again, to the injury of those who had embarked in



the saltpetre trade, without granting remuneration? But they were told that Mr. Wilkinson had not furnished the court of directors with any means of judging correctly of his claim. He acted in a more respectful and proper manner, in not submitting documents to the executive body, than if he had done so; instead of doing that, he referred the directors to the acts of their government, whom he had supplied with documents on which they were to decide when his case was first submitted to them. When the government of India thought proper to carry into effect, (after they had abandoned it for a time,) the system of monopoly, they greatly injured Mr. Wilkinson. They assumed the right of keeping in their own hands the whole of the saltpetre made in their provinces: they were afraid, it appeared, lest the trade should get into the hands of one or two individuals. The gentlemen behind the bar must know that the proportion of saltpetre for which Mr. Wilkinson contracted formed but a very small part of the saltpetre trade; so small a part, that it was unnecessary to dwell for one moment on the absurdity of the apprehension which was entertained. What did Mr. Wilkinson do when the monopoly was resumed? Having entered into regular contracts and engagements with the merchants, or saltpetre manufacturers, he wished to see what course he was to take in order to prevent loss. He said to the board of trade, "gentlemen, I will give you up the produce of my contracts, at twelve annas per maund advance." The board of trade, however, thought proper to refuse the offer. They afterwards made a report, in which they stated what they conceived Mr. Wilkinson to be entitled to. The Bengal government seemed to dispute the decision of the board; they appeared to think that the board of trade were endeavouring to carry a novel proposition into effect. They stood in the character of the aggressor, Mr. Wilkinson in that of the aggrieved party. Under these circumstances, the governor-general thought the regular way would be to appoint referees to take into consideration all the documents which Mr. Wilkinson had submitted to the board of trade. Those referees consisted of two of the Company's civil servants, one of their legal officers, and two merchants of great respectability. Mr. Wilkinson had no influence in the nomination of these persons; he was not even informed of their appointment. These gentlemen, however, examined the documents, and made their report; after this the members of council were desired to give their opinion on the case, and the court had heard the sentiments expressed on the subject by those who were the servants of the Com-

pany, and consequently friendly to its interests. In the reports which had been drawn up, a curious course was adopted; it was there said, "It is true we think you ought to receive a sum of money, but we will not acknowledge your right: you have no claim." Now if Mr. Wilkinson had no right, why did they make him any allowance at all? He was not the Company's servant; he was not in the situation of the gallant officer (Sir John Malcolm) who had been alluded to, in whose praise he cordially concurred; and he sincerely wished that he had received double the sum which was voted to him: if he even had, the remuneration would have fallen far short of the claims which he had on the Company. It was said, that Mr. Wilkinson had furnished no data; but the best data was to be found in a reference to that which actually took place. Suppose a dispute occurred between two merchants, and one accused the other with having injured him by interfering with a mercantile adventure; in that case could it be said to the complaining party that he had no claim? could he not put figures together? was it possible that redress could be refused to him? The equity of the court demanded that a proper remuneration should be given to Mr. Wilkinson, and he did not think that this gentleman was fairly dealt with, in having it delayed for so long a time. With respect to applications of this kind being increased in a consequence of this precedent, he did not think the observation was worthy of attention. Such a reason could never be adduced against administering justice to all who demanded it. He was an advocate for pausing, before they entertained any question that would bring into controversy any part of their rights. He disliked the idea of any point being disputed by the government on one side and the Company on the other. He would always, however, protest against the slightest attempt to interfere with their right of granting money; and he hoped if an endeavour were made to trench on that privilege, that it would be steadily opposed by every proprietor of East India stock. He was ready to pay respect to every act of the executive body here or elsewhere, provided it were founded in equity and justice; but he hoped that any attempt not consonant with those principles would meet with deserved reprobation.

Mr. Impey rose and said, that probably a great number of proprietors, as well as himself, could have wished that this discussion had not taken place, and that, as the case of an individual, it ought not to excite very general interest; but he confessed that from the course the debate had taken, the question had assumed an aspect of greater importance than he could

have anticipated. Those proprietors who paid attention to the affairs of this Company, should consider how it might bear upon their present and future interests. It appeared to him, in the first place, that before the proposition was carried into effect, there ought to be a very clear case made out in favour of Mr. Wilkinson by the thirty proprietors who came to give away £22,000, not out of their own pockets, but out of the public fund. If the latter observation were true, there ought indeed to be a very clear case made out, in order to induce the proprietors to come to such a resolution. He had looked at this case with very great industry and care. It appeared that some gentlemen had thought there was no ground for this claim at all, and others thought that it ought to be allowed out of the abundant liberality and generosity of the Company; for his own part, he had looked at the case in all the views in which it had been presented, and as far as he could understand it, he confessed, he never saw a claim presented by anybody that had less ground to stand upon, for he did most conscientiously think, that if the court were to yield to this claim, it would not only be a great present loss to the Company, but open the door to other claims, which could not be rejected without manifest inconsistency in themselves. In his judgment this case had already taken up a great deal too much of the valuable time of the court, and therefore he should be extremely unwilling to add to the evil by delivering his opinion at any length. It must however be quite obvious, that the *onus probandi* lay on the other side. If they had any principle to stand upon, they ought to shew what that principle was. Did they stand upon law or upon equity, or did they come to the bounty or charity of the Company? Those who had attended to the debate must see that no two proprietors had placed the case on the same ground. One hon. proprietor had talked of the damages that a jury would give; that hon. proprietor therefore must consider it to be a legal claim. He (Mr. I.) had no difficulty in saying, that if Mr. Wilkinson attempted to present his case before a jury, in India or in England, he would not have a leg to stand upon, because a jury could have nothing to do with such a question. Other hon. proprietors had said that this was an equitable claim; but what was the ground of such a statement? Had the Company defrauded this gentleman, or broken with him any contract, express or implied? He (Mr. I.) denied that any such claim could be made. This might be denied on the other side; he did not know but that Mr. Wilkinson might say he had a legal claim. If that were the case, this was not the place to come to for the pur-

pose of trying that question; there were courts of law in the country, and there he ought to go and try his right. So, if this were an equitable claim, he ought to go to the courts of equity, for why should he come to this court; because he (Mr. I.) was quite sure that no hon. proprietor who came to this court, could think this a fit place to discuss either legal or equitable claims. It was known that there were very few of the proprietors accustomed to apply their minds to such subjects. He meant not to impeach the understandings of the court of proprietors, but certainly this was one of the last places that he should have thought competent to try such questions, and he could not help thinking that the court would be extremely indiscreet if they were to attach to themselves the discussion of questions which peculiarly belonged to the courts of justice of the country. But there was another set of proprietors, who in the consideration of this subject might be inclined to say, "why it is very true this gentleman has no claim in point of law or equity, but we think this is a very hard case, and we are inclined, out of liberality, bounty, or generosity, (the East-India Company being very bountiful and generous on all occasions) to vote him a sum of money because it is a very hard case." Now if he (Mr. I.) understood Mr. Wilkinson rightly, he himself renounced the assistance of every proprietor on such grounds; he disclaimed coming here as a claimant on the generosity or bounty of the Company; he said he had an equitable right, and that if he could not stand upon an equitable right, he wished it to fail. Supposing then the question to come upon the score of liberality and generosity, he would really put it to the court, conscientiously and seriously, whether they would be doing their duty to themselves as well as to the Company, if out of mere bounty they were to come down to this court and vote away a large sum of money out of the public funds into the pocket of Mr. Wilkinson, without any other ground to stand upon. Let the proprietors look at the facts of the case, and see what were the equitable grounds this gentleman stood upon. They all knew, that when this transaction took place the Company were under contracts with government to supply them annually with a quantity of saltpetre. For the purpose of executing those contracts, the government of Bengal had assumed a monopoly of that article, in conformity with a practice which had prevailed for a long series of years, and he must assume upon legal grounds. Whether they did or did not act upon legal grounds he would not stop to enquire now; this was not the place to determine whether they acted legally or illegally, but he would assert

that the servants of the Company of Bengal, having the interests of the Company placed under their protection, had a clear right of regulating, in the same manner as the government of this country, the monopoly of articles necessary for the service of the state. At the period in question, the government of Bengal thought fit to try the experiment of opening the trade in this article, and accordingly in 1810 it was ordained by the government that the trade should be thrown open. Did they thereby encourage merchants to enter into this trade? Nothing like it; they permitted them to trade by throwing it open to the commercial world, but they did not thereby hold out an encouragement to trade in saltpetre. If a government meant to encourage persons to embark in a particular trade, they generally said, "we will give you a bounty," or they said, "we will contract with you at an uniform price for your commodity;" but in this case no such encouragement had been held out, and it was perfectly competent for the government of Bengal, at any time when policy or necessity required a resumption of the system of monopoly, to say to the merchants, "you shall no longer continue to contract in this article." Most undoubtedly the government of Bengal had a right so to act. In this case, Mr. Wilkinson, as a merchant of the country, came forward, by saying that it was for his own private interest to enter into contracts for this commodity, and under such a notion he thought fit to enter into speculations, not for one, two, or three years, but for five years, well knowing that, at any period after the experiment of opening the trade, the government had a right to close it again, and resume their monopoly in this particular article; in fact it turned out that the experiment did not succeed, and the Company found themselves under the necessity of resuming the system in order to complete their contracts with Europe. The East-India Company had entered into contracts for the supply of this country with saltpetre, and if they found that they were unable to complete those contracts by any other means, they had no line to pursue, but to resume the system of monopoly. The case of the Bengal government and Mr. Wilkinson, was the same as the government of this country and any private British merchant under the like circumstances. This gentleman, as a mere trader, had no more right to complain of the failure of his speculation in consequence of the act of the Bengal government, than any merchant in England had to complain against the crown of this country for entering into contracts which put an end to his speculation. It appeared to him (Mr. I.) that what was proper for Mr. Wilkin-

son's case on the present subject. Let it be supposed, that instead of speculating in India in the article of saltpetre, he had speculated in corn in this country, and had entered into contracts for five years with growers of that article, to have their produce delivered to him during that period. In such a case, it might naturally be supposed that he would make large profits by his speculation; but if a corn bill was passed which cut up all his prospects of gain, he (Mr. I.) would ask with what face he could come to parliament and ask for a compensation for the supposed loss he had sustained in consequence of the act of the legislature? He (Mr. I.) would put it to the hon. member of parliament (Mr. Forbes), whether he would have ventured, if this had been a case of that nature, to present a petition founded upon such a claim, and move that it be laid on the table of the House of Commons? Undoubtedly he (Mr. I.) was willing to treat Mr. Wilkinson individually with great respect, for he believed him to be a respectable man, but he did not think that he had pursued on this occasion a course, which in every particular was to be commended, for he found that in the printed papers which that gentleman had circulated, he had told the court, that the government of Bengal, in the capacity of merchants, and not with a view to any political advantage connected with the welfare of the subjects of their state, but solely for commercial profit, had renewed these monopolies in saltpetre. Now certainly he could not agree in the truth of this proposition. The government of Bengal were not much obliged to this gentleman for his candid and liberal exposure of the motives of their conduct; they were not much obliged to him for an accusation which, if it were true, the members of that government were not only criminal in their conduct, but they deserved the public prosecution of this country. But this strain of invective too much resembled that which marked the conduct of the private merchants of this country in general towards the East-India Company, for upon all occasions, whatever was the conduct of the Company, it was ascribed to sinister motives and selfish views. This sort of language at all times deserved reprehension, but more particularly in the present instance, because he verily believed that the members of the Bengal government were as honourable and conscientious men as any merchants of this country, however respectable they might be; and he, for one, should not be willing to extend his approbation to a proposition for benefitting any gentleman who used this species of insinuation. It had been observed most truly, that this court were placed in a very inconvenient

situation. It was true that the court of directors had proposed a certain sum of money to be given to this gentleman, conceiving that it was quite sufficient to answer all the ends of liberality and justice; the friends, however, of the gentleman did not think this sufficient, in consequence of which a larger sum was proposed, upon which the new proposition was founded, and on which this amendment was moved. Undoubtedly, he must confess that the court of directors were placed in a very awkward situation, and it did appear to him that the conduct of this gentleman's friends was as little marked by discretion, as in the instance last mentioned in the demeanour of the gentleman himself. But how did the case stand? The gentleman's conduct was like that of the dog in the fable, he had a large lump of the Company's treasure in his mouth, but seeing the shadow of something better in the exertions of his friends, and having a strong appetite for something more than he had, he was contented to give up the substance for the phantom of his imagination; he had dropped the first out of his grasp, and he hoped to get the second by the means referred to. He, (Mr. I.) however, for one, should not be ready to assist him in getting the second, nor in recovering the first.

Mr. Murray rose and said, that as the hon. and learned gentleman who spoke last had thought it necessary to assure the court that he would occupy very little of their valuable time, such an assurance was much more necessary on his part: indeed, after the repeated and minute discussions which this subject had undergone, it would be an unpardonable trespass to him to enter into any detail; he should therefore very shortly state the grounds upon which he conscientiously felt himself called upon to give his vote, assuring the court, in the first instance, that he should not be influenced by that zeal of friendship to which an hon. proprietor had alluded, for until he had the honour of seeing Mr. Wilkinson at the door of this court he never had the pleasure of his acquaintance. When the supreme government of Bengal declared that the trade in saltpetre was free, assigning as a reason that the continuance of the monopolies, as they had been usually carried on, must be attended with prejudicial effects, they not only permitted (notwithstanding what the hon. and learned gentleman who spoke last had said) they did in effect encourage and invite the commercial public to engage in that trade, because it followed, of course, that by so engaging in it those prejudicial effects would be warded off. (*Hear, hear!*) Mr. Wilkinson, then, in embarking in that trade, must have relied on the good faith of the government, that the

freedom which had been so deliberately pledged and so unqualifiedly proclaimed would not be of a temporary but of a permanent character. The hon. and learned gentlemen (Mr. Impey) said "that the government had a right to resume these monopolies." Admitting that to the fullest extent, yet would it not have been inconsistent with the character for probity and justice for which this great Company was so famed, if an individual, so entering into the trade, could have supposed for a moment that, within the short period of twelve months, and without any notice or any warning to the public, or without the slightest exception in favour of any engagements that might have been entered into on the faith of their declaration, that the monopolies would have been resumed; yet so was the fact. But the hon. and learned gentleman said, "did the government break any contract, express or implied, with Mr. Wilkinson?" His (Mr. M's) answer to that was "*qui facit per alterum facit per se*;" it was the more necessary for them, under the circumstances of the case, that they should perform their own engagements. Thence arose the injustice which had been done to this gentleman, and for which he here solicited redress; and he begged to observe that this gentleman had been considered as entitled to some redress by all the authorities to whom his case had been submitted: first, by the board of trade; secondly, the committee to whom the supreme government submitted his claim; thirdly, by the governor-general in council; and lastly, by the court of directors. In support of these concurring authorities, concurring in the principle of indemnification though not as to the quantum, the practice of the highest authorities of this country, the legislature of the country, might be quoted, and had been quoted by an hon. director. When this last mentioned subject was under discussion, that hon. gentleman instanced the compensation granted by parliament to those who had been dispossessed of their property by the formation of the great commercial docks, in the neighbourhood of this metropolis; but a case still more analogous might be adduced to shew that this legislature was ever ready to measure out an equitable indemnification to those who, pursuing the legitimate commerce of the country, had suffered from the unexpected and sudden suspension of the law for the benefit of the state in the year 1793, when a general embargo was laid upon all vessels bound to the ports of France with a provision of corn, to which the hon. gentleman has alluded. What did parliament do on that occasion? why, an act of parliament was passed for the indemnification of the individuals who

were the owners of those cargoes, not only for the prime cost of their property, but for the amount which they would actually have received had they delivered their cargoes according to their contracts with France. Speaking under correction, he believed the hon. director himself was one of the commissioners appointed to mete out that compensation; but strong as this case was, he could not help considering the case of Mr. Wilkinson still stronger, for in two instances the Company had actually reaped a benefit in proportion to the loss which he had sustained. Satisfied, then, as he was that Mr. Wilkinson had substantiated a legal claim on the justice and liberality of this court, considering the great length of time, the many years that had elapsed since this inquiry was sustained, considering the hopes and expectations which the supreme government had led him to indulge, considering the very heavy expence to which he must have been exposed in the long voyage he had undertaken to lay his case before the constituted authorities of this country, he did conscientiously feel, that in agreeing to the original motion he should do no more than give to this gentleman that compensation to which he was unquestionably entitled. And here he begged to say that, anxious as he was that an injured individual should not go undressed, he was still more anxious that the character for justice and generosity which this great body had so long sustained should neither be impaired nor become impeachable. He trusted also, that that generosity, that that justice would one day be exercised in favour of those gallant and illustrious individuals, to whom the hon. and venerable director (Mr. Elphinstone) had alluded, and who had laid claims to the gratitude of this country which never could be repaid. (*Hear, hear!*)

Mr. Randle Jackson said, that the sentiments which the hon. gentleman who spoke last had delivered were those which gave him credit for their propriety; and for his own part, he felt the highest respect for the candid motives which had induced them. He was glad also to find that the hon. chairman himself had set an example of so much temper and impartiality, an example which had not been wholly lost; and sure he was, that unless this question could be decided upon the broad ground of justice it was unworthy of the court to entertain it. Friendship was a sublime attribute, but let it have its influence in its proper place. Unless the court could abstract this question, unless they could shew that there was some justice due to this gentleman, independently of any personal feeling, he had no claim upon their purses; but if he

had it in justice, infamy must fall upon them if they refused such a call. It would be well to consider the case as it now stood; but before he did so, he begged to be excused if, in the first place, he noticed something which had been said upon the subject of the constitutional rights of the court of proprietors. One or two observations had fallen from the hon. chairman himself upon this point. He (Mr. J.) must do the hon. gentleman the justice to say, that he had stated the respective rights of the court of directors and the court of proprietors with some appearance of candour, namely, that the court of directors might originate a money proposition, and that so also might the court of proprietors originate such a proposition; but, at the same time, the hon. gentleman, with that caution which became him, sitting where he did, pressed so much upon the court of proprietors the danger of any profuse exercise of that privilege, that he seemed to intimate a doubt of their right to entertain such questions. He (Mr. J.) was not very much surprised that his hon. friend near him, with his uniform and honorable zeal for the rights of the proprietors, should have been a little disposed to think that the hon. chairman came so near a condemnation of this privilege, that the proprietors had no alternative left but to insist upon their rights every moment the subject was mentioned. If, however, the proprietary were likely to pervert their functions, he was free to confess, that it was the bounden duty of their chair to interpose and say so, and caution them against the abuse of their rights. He perfectly agreed, that if the proprietors were influenced by enthusiasm, by the most honorable sentiments carried to an undue height, and were to give way to those feelings, and to distribute their funds according to them rather than to the merits of the case under consideration, that a repetition of such conduct would not only call for the opposition of the court of directors, but would call for the interference of the legislature, to say this: "If the court of proprietors cannot restrain their passions, however laudable they may be, and will proceed upon no other data in the disposal of the public funds than their warm feelings, it is not that they should be deprived of the power so liable to be abused." But the question to day was not a question of enthusiasm or of feelings, for he would ask whether the court of proprietors were abusing their functions, if they were endeavouring to deal out the dry, cold, and abstract justice to this gentleman, with as much indifference as if they had never seen the man to whom the question applied. The gentlemen behind the bar must not be led into a mistake, in sup-

posing that, because Mr. Wilkinson's friends felt warmly upon the subject, they must not be led into the mistake, that because they saw faces which did not ordinarily appear at the discussions in this court, that they were therefore brought down merely from motives of kindness and friendship. He (Mr. J.) knew very well that the gentlemen who appeared on this occasion were uninfluenced by any such motives, and that no steps whatever had been taken to induce them to indulge their feelings contrary to their judgment; and he had been assured so by hon. proprietors, who had dined with the suffering merchant at their own table, at his table, and at the table of common friends, to whom he never propounded his case, or asked any of them to attend here on his behalf. He had heard the insinuation upon this subject with some degree of surprise, for unless he very much mistook the character of Mr. Wilkinson, he had a degree of delicacy about him upon this subject which was highly creditable to his feelings. This was one of the topics touched upon at the last court; and even to-day, one hon. gentleman within the bar, alluding to the same point, uttered something like a lamentation at the course which this inquiry had taken; and the hon. predecessor of the chairman of to-day had, with a little more acrimony than could be wished, in an address to the feelings of this gentleman, who was pleased to be present in court to hear a discussion upon a question of the utmost importance to his family and connections, alluded to his interposition when his motives were attacked. As an abstract question of propriety, he (Mr. J.) agreed that it would have been much more decent if a gentleman who had traversed the regions of India to obtain justice, and was at last compelled to come ten thousand miles to seek that justice in Leadenhall Street, had been elsewhere; much more decent if he had heard all these attacks upon his feelings, these accusations upon his character and conduct, with patience, and had sat perfectly quiet; and that it would have been much more becoming if he had not been in the court at all. But he (Mr. J.) would tell the court why Mr. Wilkinson thought it right to be present. Every one admitted his case to be complicated, all admitted the justice of it to a certain extent, and were predisposed to listen to the case with patience and attention; but as it was a difficult case it was of importance that it should be laid before the court upon its true grounds: it was natural, therefore, that those who charged themselves with the statement of the case should say to Mr. Wilkinson, "Sit by us, and put us right if we fall into any error." Here, then, was an end of the

culpability of this gentleman in sitting down in his place as a proprietor of East-India stock and hearing his own case decided. But if he was culpable in rising to make the observations that he did, it was because he was a man, and not a god; it was because observations were made which it was not in human nature to sit still under, and he immediately rose and said, "Sir, that is not so." Passing then from the person whom he conscientiously believed to be a highly respectable man, he would now come to his case. He apprehended that the observation of the hon. chairman, lamenting a little the course which the proprietors had taken, and lamenting the difficulty of the business, imported a doubt of the propriety of originating the question on this side of the bar. It was extremely important that the character of this court should be relieved from an impression that they are desirous of bringing this forward as a personal question; but, at the same time, it was still more important that the court, under any circumstances, should assert its right, with all the modesty, but with all the firmness that belonged to them, when any attempt was made to question its privileges. He believed it could not be disputed by any man, that the court of proprietors had not only a right to vote upon but to originate money questions, and had a right to exercise their judgment upon the expediency or inexpediency of money propositions. Were there no examples of this kind upon record to warrant the exercise of such a right? Was it to be so soon forgotten, that the court of proprietors, some years back, upon the retirement of one of the directors, proposed that that gentleman should be allowed a pension, for no other good reason than because he had been dispossessed of his situation, and that no objection was taken to the quarter from whence the proposition originated? Mr. Tatham, the gentleman alluded to, had indeed the salary allowed him, certainly against his (Mr. J.'s) better judgment, and the question never would have been carried had it not have been made a personal question. It was not an ill apprehended proceeding, but a little consistent with that feeling which the court of proprietors always entertained towards all sorts of persons who required their assistance; the pension, however, which that gentleman received originated on this side of the bar. Another case was that of Sir Nathaniel Dance, to whom the directors first proposed to give a pension of three hundred a year for his services: a warmer feeling, however, was entertained on this side of the bar, and it was moved, if he recollected rightly, without any material notice being taken of it, that the three hundred should be

five hundred pounds per annum. The proposition was sanctioned by the court of directors, and, notwithstanding the origin of the amendment, it passed without opposition. The case of Lord Melville was also in point upon this subject, because the court of directors had nothing to do with originating the grant to that nobleman, it being recommended altogether, first by the board of controul, and taken up afterwards by the court of proprietors, as their question. Now, without questioning the wisdom of any one of these grants, they tended to shew, that when occasion offered itself the proprietors had a right to and did assert the power, not only of deciding upon money questions, but even of originating them, as well as amending others originating elsewhere. Then came the question, whether it was competent for the court of proprietors to propose a debt of justice to this gentleman. He (Mr. J.) was extremely glad to hear that the hon. chairman himself agreed to the substance of the proposition in principle, for undoubtedly, though the majority of the directors had agreed to the thing in principle, yet part of them were dissentient. But so far from blaming those gentlemen who had entered their protests, he had had more than once occasion to say, that he believed that some of the strongest instances that had operated to the welfare of the East-India Company had arisen from the dissenting protest of a dissenting director; therefore, he thought that when a director entered his protest, and gave a reason why he differed from the majority of the body, he could not do so without giving an implied pledge to take care of the public interests. But, however, the court of proprietors were at liberty to inquire into the grounds of a dissenter's dissent, and examine into the reasoning of the protest. It had been said that the subject now before the court gave rise to a momentous question, as if this was an attack upon the unquestionable rights of the East India Company with regard to monopolies. He (Mr. J.) had always taken great pains to avoid entering into any serious reasoning upon such subjects. It was not necessary to determine whether, when the East-India Company succeeded to the throne of Bengal, they came into the full tide of despotic power, or whether they were or were not at liberty to exercise the functions of government at their own uncontrouled discretion. This, however, must be admitted, that though the monopolies had taken place for many years, yet this monopoly was not destroyed for the present, by way of experiment, for he deduced his learned friend (Mr. Incey), and he appeared to have read these papers, to be about the word *experiment* through-

out the whole proceedings. It was quite the contrary; the monopolies were not put an end to for the mere purpose of trying an experiment, it arose from one of those discoveries which were continually made in the government of states, with regard to political economy, namely, that having been wrong for many years it was necessary to be right at last. It was in consequence of this discovery that the government of Bengal thought it advisable to dissolve this system of monopoly, and invite all descriptions of persons to trade in saltpetre; they encouraged the trade by sending their proclamations throughout their territory, holding out thereby an implied engagement, that if any person embarking in the trade should suffer by the resumption of the monopolies, after they had been dissolved, the government would indemnify them for their losses. It was under this public invitation that Mr. Wilkinson entered into this trade, relying upon the good faith of the government, and presuming that he should not be lured into engagements which, if they failed, must be attended with ruinous consequences to himself. It was not until after this encouragement had been held out, that he embarked his property. Would it be denied by any lawyer, that after Mr. Wilkinson had made his contracts and entered into engagements, those contracts and engagements did not operate to produce a vested interest in the person who held them? Would any man deny that such contracts were the subject of valuation, and might be sold to beneficial advantage? The plain fact was, that Mr. Wilkinson, under the plighted faith of the government, did enter into these engagements, did enter into these contracts, and that the government of Bengal did, by an act of arbitrary authority, put it out of his power to execute those contracts and engagements. Then came the question, whether they, by so doing, gave him a legitimate claim to remuneration, and if so, the second question was how much he was entitled to receive. It was not necessary now to argue the principle of the question, because four or five of the most respectable authorities that this court could have had authorised the principle. Let it be seen who had sanctioned the principle. In the first place, the Company's own governor in council at Bengal, the seat of government, had sanctioned it; the board of trade in their report had sanctioned it; the committee to whom the governor in council referred the question had sanctioned it; the committee of warehouses had sanctioned it; and last of all, a majority of a court of directors had expressed their approbation of it. If this were the case, with all these authorities sanctioning the principle, it would be quite

superfluous for him to enter into any discussion or observation upon this part of the case. The hon. chairman had very candidly said that he by no means defended the conduct of the board of trade, and he said he thought there was great cause of complaint against them; so said he (Mr. J.), and so said the Marquis of Hastings, and they had undoubtedly been the cause of this gentleman's being so far disappointed as to occasion his coming here. The discussion of this subject had undoubtedly occupied a great number of days, but that was no cause of complaint against Mr. Wilkinson. It was not always possible to dispose of matters of this kind in the first instance, but even four, five, or six days could not be said to be misapplied in being just: a Company like this could not always be just so rapidly as could be wished, and he really thought that his learned friend (Mr. Impey) a little departed from that urbanity that generally distinguished him, when he would have visited upon poor Mr. Wilkinson the repeated discussions that had taken place, and would almost induce the proprietors to believe that it was an application which ought to be scouted with reprobation and contempt. His learned friend had argued that this case could not stand upon a breach of faith and an implied engagement, although these authorities which had been enumerated had considered it to be a question of justice. His learned friend said, "does Mr. Wilkinson stand upon law? there is none for him, the courts of law are not open to him. Does he stand upon equity? the court of equity would say there was no relief for him." What else then was there? he (Mr. J.) would tell his learned friend there was that law which he was taught in the first elements of the science in which he was educated, that law which was the foundation of all municipal law, that law upon which alone all human institutions could be permanent, the law of God! that every man was told was the foundation of all law: this he was told expressly by the best and ablest elementary writers on law; upon this every venerable principle of the common law of England was founded; without this municipal law was nothing; by this every custom or law in the country must be tried; and in proportion as human laws receded from this principle, in that proportion they became perishable and corrupt. If the learned gentleman had asked him to give him his definition of Mr. Wilkinson's claim, he would give him the language of the Marquis of Hastings himself, who in his emphatic language said, "it is a case in *foro conscientie*." The fact was, that Mr. Wilkinson's was a moral claim, and he (Mr. J.) would be

unjust to that nobleman and his council if he did not rescue them from the imputation of folly and imbecility, which his learned friend would have fastened upon them, under the supposed probability of their coming within the definition laid down in Mr. Wilkinson's paper: on the contrary, there never was a stronger proposition expressed in terms, than that the government of Bengal did, in their character of sovereigns, legislate Mr. Wilkinson out of their market, and in the character of merchants put the profits of their legislation into their pockets. That proposition was true or false; that accusation was right or wrong; and the means of detecting its truth or its falsehood were near at hand. Upon what principle could his learned friend say that the cessation of monopolies had been held out merely as an experiment? Could his learned friend say so upon any authority? He imputed no intention to his learned friend of misleading the court, or misrepresenting the subject of his statements, because his learned friend, by reason of his engagements, had not the time to travel through all the papers with the same degree of anxiety that those who had directed their attention to the subject had done. If his learned friend had had the same opportunity of investigating the question, he would have found that the cessation of monopolies had not been held out as a mere experiment, and that Mr. Wilkinson was not an odious speculator, who had the folly to enter into these engagements contrary to all mercantile principles, and without any colour or foundation for his proceedings. So far from this being the case, it would be found in Lord Hastings's minute of council that the government had sanctioned the entire reduction of monopolies, and there they would find the grounds upon which the government thought Mr. Wilkinson was entitled to remuneration for the losses he had suffered. In that paper the noble lord expressed himself strongly in favour of Mr. Wilkinson's claim, and stated, in the most unqualified terms, that such invitations had been held out to the merchants at Bengal as could not fail of seducing them into the trade. After the statements contained in that paper, in which there was a distinct recognition of the fact that such an invitation was held out, could any man find fault with Mr. Wilkinson for confiding in the good faith of the government? Who would venture to say, under such circumstances, that Mr. Wilkinson, as a loyal subject of the Company, had a right to speculate upon the vacillation of his government? What man that professed to respect his government as a consistent and uniform establishment, and as the palladium of its rights and liberties, could presume to spe-



culate that those authorities, who declared that to be law one day, would turn the tables upon him the next, and say that it ceased to be law. Good subjects never would reason in that way, and none but foolish subjects would be led to expect such conduct from a wise government. This was an immutable principle, which was necessary to the very existence of a state, because it was the confidence of the subject in the wisdom and honor of the legislature that constituted the stability of a government. It was not necessary to the establishment of Mr. Wilkinson's claim to indemnity that he should shew an express engagement on the part of government for that purpose. He would suppose that there was no engagement of that kind in contemplation at the time, but would any man pretend to say that a subject had not an implied claim upon the government for the private injury done under the colour of a proceeding for the advantage of the public welfare. An hon. gentleman had stated, with much truth and propriety, what the conduct of the government of this country had been under the like circumstances. It was part of the principle of legislation, that where the legislature interrupts the right or interferes with the property of the subject for the advantage of the whole community, to take care that out of the public purse the private individual shall be indemnified; this was the constant and uniform principle which actuated the legislature of this country in all cases of this kind: and when he (Mr. J.) adverted to the circumstance of the West India docks, he was hardly aware of the extent of the application of that case to the present; for it did so happen, that a long list of powerful merchants at the water side, engaged in the West India trade, thought it would be for their advantage to have their concerns carried on in one common place, and accordingly they applied to the legislature to enable them to carry that object into effect, and they were empowered to erect the magnificent docks which form so distinguished an ornament of this great emporium of commerce; but the legislature did not stop there, they went further, they enacted a monopoly in the West India Dock Company for twenty-one years, but, at the same time, whilst they sanctioned the measure calculated for the benefit of the public, they granted an indemnity to every private individual who suffered in consequence of the removal of the trade. Never was a more generous act passed by the legislature, and never was an act of parliament more generously acted upon. But to what extent was this indemnity given? And here he agreed with the liberal sentiments of the hon. director (Mr. Murray), as well as with those of the hon. gentlemen who had spoken on the

same point. What was the extent of the indemnification? In Mr. Wilkinson's case it was said, that in all events his indemnification must be confined to his actual losses, and not to any imaginary losses which he might be supposed to have sustained from the failure of his speculations. What was the case of the individuals injured by the erection of the West India docks? They were supposed to have sustained imaginary losses, but what indemnity did they receive? There was not one of them who was not indemnified for a considerable number of years of commerce that was to come, upon the presumed data of profit they would have had if the trade had been carried on. What then was the case with respect to this gentleman? After he had entered into his contracts upon the faith of the trade remaining open, the government thought proper to resume their monopoly, and at the same time denounced penalties against any person who should presume to infringe it. It was clear, that if Mr. Wilkinson ventured to trade in an ounce of saltpetre after the declaration of the government, he would be liable to the penalties of a misdemeanour, and might be sent home to England. There was not a man with whom he had entered into any contracts who was not only absolved from his liability to perform them, but Mr. Wilkinson was placed in that situation that he dare not enforce the penalty of the bonds: under such circumstances, could the government of Bengal for a moment say that Mr. Wilkinson was not a fair object of indemnification. Now let it be seen how the case presented itself to the court: Mr. Wilkinson was in this situation; he had contracted for saltpetre for five years; after he had made the necessary arrangements in making his contracts, after he had advanced a large sum of money for the purpose of creating the works and setting them in motion, and after he had brought a considerable quantity of saltpetre into the market, the government monopoly was resumed; he is then asked by the government how much he had to pay for getting these contracts executed, telling him that, in all events, they do not mean to go the length of indemnifying him for the period of five years; to this Mr. Wilkinson very reasonably answered, "you are injuring me by means of the resumption of this monopoly down to the very last moment of the five years, and I demand of you every penny to which I am entitled." But in order to put the case upon equitable terms, and shew that he only desired that which was justly due to him, he said "you shall have my contracts for the five years at the same price for which I have agreed to pay," which, it was to be observed, was at least half a million short of what he

would have made by the sale of the commodity at the market price, and forming a very inconsiderable proportion of what government afterwards made by their monopoly. But then another very unjust scale of indemnification was suggested; it was said, that because Mr. Wilkinson had offered to sell his saltpetre at 12 anas per maund, that he had therefore marked out his own scale of remuneration, and by that he ought to abide. Let it be seen how far it would be reasonable or just to tie him down to that measure of remuneration: in his (Mr. J.'s) judgment it would be scandalously unjust to bind him down in that manner. Mr. Wilkinson, with a five years' contract before him, and in the incipency of the concern, before the market price of the commodity had risen to the degree it did, said that for the five years the government might take the article at 12 anas per maund; then, said the hon. gentlemen, it was clear that Mr. Wilkinson defied the scale of his own profit. Would any thing be more unjust than to decide his claim upon this principle, under the circumstances of the case? Was it because a man said that he would sell a hundred tons of a commodity at a certain price, that he was bound to procure five hundred tons at the same price. Every one knew the great extent and value of this concern in which Mr. Wilkinson had engaged, and the very large profit which was likely to accrue from such a contract for five years, but still it was argued, that as he had fixed his price he was bound by that criterion: but what was the proposition founded upon this? why it was said, that because that was his price for five years he ought to take the same price for two years; he is asked "what will you take for two years' profit?" Why, he very reasonably answered, that he must have a much higher sum than that prescribed for the five years. Nothing, therefore, could be more unjust than to say, that because a gentleman offered to treat for this contract for five years at 12 anas per maund, that he ought to deal out two years of the trade on the same terms, and that he should be bound by it. Surely this was too unjust a scale of judging in this case. Well, then, how did it stand as to the price to come? But first he would beg to repel the insinuation which his learned friend threw out, under the illustration of the dog and the shadow, by saying that in catching at a larger object he lost the smaller. Did his learned friend recollect, that when Mr. Wilkinson's friends urged something more than 75,000 sicca rupees as a reasonable compensation, that that was something less than what the government referees had awarded? Would any man say, that it was unreasonable for Mr. Wilkinson to endeavour to obtain something approach-

ing to the amount of the award of those referees? Would any man say that what Mr. Seton had pronounced to be due was a declaration unworthy of attention? The gentlemen] who argued in this manner must either be silent as to the effect of that award, or they must say, that because a man modestly forebore urging the full extent of the award that he was not entitled to a single rupee. Let it be seen how the case stood upon this award. The hon. director had said that the board of trade deserve some degree of approbation, and at the same time it was to be observed, that the committee of warehouses quite approved of what was said by the board of trade. It became the court to see how fully the board of trade disapproved of cutting Mr. Wilkinson down to the lowest sum, after looking at every part of his claim. Looking at their proceedings and considering what the arbitrators had said, there was nothing on the part of Mr. Wilkinson very culpable, in wishing to urge his claim upon the foundation of the award; but before the court formed any decisive opinion upon this part of the case, they ought to recollect the conditions upon which Mr. Wilkinson was to be allowed to pursue his contracts; those conditions were extremely harsh and severe in themselves. It was to be in the discretion of the government of India whether they took the contracts at 12 anas per maund, but they were not to give him any pecuniary remuneration. What was the proposition? they were to allow him to fulfil his engagements on certain conditions. What were those conditions? why he was to give such security as they should devise that he should not exceed the amount of his contract; next that he was not to engage in the manufacture of saltpetre for any of those persons who were indebted to the Company, with a list of the names of which persons he was to be furnished. But did the government ever take any effectual steps to enable him to go on with his contract? certainly not. Two whole seasons, during which the monopoly prevailed, were wasted, and all Mr. Wilkinson's endeavours to get them to come to some final arrangement were defeated by affected delays and pretences. Therefore it was that Marquis Hastings, in his minute of council, said that the government were finally wrong, and that their servants and officers had occasioned this gentleman's losses, which losses, he said, it was but reasonable should be made good to him by the Company. It appeared from the documents before the court, that Mr. Wilkinson was by no means to blame in this transaction; he had waited patiently for the determination of the government, but they had never condescended to propound to him the terms upon

which he was to go on with his contract. With respect to the security he was to give he was kept completely in the dark, and no terms were ever proposed to him. The board of trade declined specifying the amount of the security, and they stated, in the papers before the court, that they had waited for the result of the determination of the board of revenue, and of the government, before they could determine what the amount of it should be. How long did this delay last? Why for more than a period of five months. Here then was a confession from the Company's own board, that by their laches this gentleman was not furnished with the means of availing himself of these acts of grace, which the government, as a matter of indulgence, professed themselves willing to extend to him. Why then, with such a confession that they were the cause of the impossibility of his executing the contract, which they meant to allow him to do, as a substitution for pecuniary remuneration, was Mr. Wilkinson to blame in laying before the court his complaints, when it was put out of his power to obtain redress in any other shape. He was ready and willing to perform the contract, but he was prevented from so doing by the laches of the Company's servants. Then it was said that this gentleman ought not to be indemnified, for fear of turning his case into a precedent, upon which the claims of other persons might be founded: surely the Company could never suffer by a precedent that was founded in strict justice. But the argument did not apply in this case, because there was no other human being who was in a similar predicament. It could not be said that Dhoolum Dos could come forward with such a claim; Mr. Wilkinson was the only human being who was in this predicament. Now what was the indemnification proposed, and what should it be? The board of trade admitted that Mr. Wilkinson was entitled to a just and reasonable compensation, without saying what. It is natural that they would give as little as possible, feeling that Mr. Wilkinson's claim had the better colour on account of their laches. But without saying what it should be, they said that on Mr. Wilkinson's own shewing 75,000 sicca rupees was about the mark, he having himself offered the contracts at 12 annas per maund in the incipency of the five years, and they said that, according to that calculation, an indemnification for two years would be enough. Assuming, therefore, that that was about the amount which the board of trade would give in the case then went before the Governor in council, who scrutinized it, as quite sufficient remuneration. They said, "this is not just; we must refer it to

"some other parties." To whom did they refer it? not to the friends of Mr. Wilkinson, but to five eminent persons, strangers to him. They referred it to two merchants, two of the Company's civil servants, and one of the Company's own council; all their own servants or dependants, and all men of too high a character to suppose that they would act under any other sanctions than those of fidelity and honour in the trust reposed in them. They gave five months to the consideration of the subject, and they awarded, according to the best of their judgment, as the lowest compensation they could give, assuming themselves to be settling as arbitrators acting conscientiously, the sum of 1,20,000 sicca rupees. It was true that they went upon a data founded upon two years of absolute and unequivocal loss; to this was to be added three years additional loss: assuming, therefore, that two years were to be considered as absolute loss, arising from the laches of the government, that would produce an indemnification to the value of 90,000 maunds, which in the result would give a sum of 25,506 rupees exclusive of interest. According to the current market price of the article during those two years, and taking into account the disadvantages under which Mr. Wilkinson laboured in being kept out of the market, it would leave him a sum equal to about £5000, more or less, over and above the calculation of the arbitrators, reference being had to the enormous profit made by the government by the renewal of the monopoly in this article. He (Mr. J.) throughout this proceeding had looked upon the question as one of strict abstract justice; but there was a higher consideration which actuated him in the discharge of his duty, namely, an anxious regard for the character of this court in the estimation of the public, believing, as he did, that to a certain degree this was a question concerning the character of the court, and anxious as he was, beyond every thing, that that character should not suffer in the opinion of those out of doors. He knew that the enemies of their deliberative faculties would be ready to put a harsh construction upon their motives, and therefore it was that he was particularly anxious to have said thus much, in order that the public might not suspect that this court was influenced by motives merely of private friendship, but by a strict regard to the obligations of truth and justice. Upon the question of principle the court had the concurrent authorities of the different persons whom he had already named, who distinctly recognized this as a claim of justice. Feeling as the court must, that those authorities had acted from the most honourable and conscientious motives, there could

not be much room for deliberating upon what course they, on their parts, ought to pursue. He was persuaded there was not a disinterested individual in the court who did not feel that Mr. Wilkinson was entitled, upon every principle of justice and fairness, to the larger sum proposed. Believing that they would not be influenced by any narrow motives, he was quite convinced that they would be magnanimous as well as just. He could not conclude, however, without advert- ing to a whisper he had heard out of doors, which appeared to him to have no foundation, namely, that whatever this court might agree upon, and however unanimous they might be in their resolution, Mr. Canning, in the last stage of the proceeding, would refuse his assent to the wishes of these proprietors who had voted £20,000 to Lord Melville, who had voted a pension to a retiring director, who had voted to Capt. Dance £500 per annum, because this motion had originated with the same proprietors for another purpose. He was quite convinced that, whatever might be the apprehensions of some persons upon this subject, they were without the slightest foundation, because he believed Mr. Canning to be a man too liberal in sentiment, too proud in honour, and too much alive to the high character he sustained in the country, to be influenced by any motives injurious to the cause of justice; therefore, before he sat down, he begged to express his humble hope, that whatever the proprietors should think proper to agree upon, whether it was this or that sum, it would be the result of a conscientious conviction that this was a debt of justice due to Mr. Wilkinson, and that whatever was done for him resulted from a sense of duty. Sure he was that there would be no opposition on the part of liberal minded men, acting upon a sense of justice, and he confidently anticipated that decision which would be advantageous to the individual and honourable to themselves.

Mr. P. Moore said, that having already delivered his sentiments on this question at the last meeting, he felt no disposition to trespass upon the time of the court. As however the motives of the supporters of this question seemed to have been impeached, he felt it to be his duty to state most unequivocally, that the vote he should give was from a conviction that the court would only do its duty in acceding to the motion on which they were called upon to decide. It would not be said that he was under the influence of private friendship and regard for the individual, because he really never saw Mr. Wilkinson in his life. His motive for coming down here to-day, was nothing more nor less than that of endeavouring, by his humble exertions, to uphold the

character for liberality and justice which this court so justly deserved. A question of this kind needed not the support of private friendship: it was simply a dry question of justice; it was not an appeal to the liberality of the court, but a call upon the blindness of its justice. An hon. and learned gentleman had talked of an appeal to the court of law: the fact was, there was nothing of law in the case; and supposing there should be, he was quite convinced that this court would never suffer Mr. Wilkinson to resort to a legal remedy, because he felt there was in this court a paramount authority superior to all law, superior to all equity, namely, the honor of the court, which he was convinced would ever be maintained by that sense of justice and propriety, which was inseparable from liberal and enlightened men. If the question went to a division, he, for one, should vote for the larger sum. He had heard observations made in the court, reflecting in a taunting manner upon the magnificence of oriental generosity, and suggesting that these were not feelings which ought to be indulged by men assembled to deliberate upon a question of strict right; probably it was that magnificence of sentiment which made this court feelingly alive to the interests of those who made an appeal to justice. If such feelings as had been alluded to did exist, they were bottomed in the highest integrity and honour; and he was quite sure that his hon. friend (Mr. Dixon) in his cooler moments, and when he came to reflect on the nature of the question before the court, must acknowledge that the observation was no way relevant to the present subject. He did not feel it necessary to trespass farther upon the attention of the court, because there seemed to be an unanimity upon the principle of the question, with the exception of his hon. and learned friend (Mr. Impey), who seemed disposed not to give any thing at all. The general principle upon which this case rested was that which was constantly acted upon in parliament, namely, that where the public were accommodated at the expense of an individual, a liberal remuneration was provided for the party aggrieved, upon the general maxim, that the public could never derive advantage to themselves to the injury of private interests. Upon this ground he should give his vote for the larger sum.

Mr. Dixon explained.

Mr. Astell said, that he did not think it was necessary to make any apology for addressing the court upon a subject of this nature. When a question was brought before the general court, it was not so much the duty of the directors as the business of the proprietors to express

their sentiments upon it. This question stood, in its present shape, as an act of the proprietors; and though, as a director, he might not perhaps have the opportunity of delivering his sentiments upon it, yet he felt himself, in his character of proprietor, at liberty to make such remarks as occurred to him on this occasion. He felt it the more necessary to do so, because, differing from others, he was anxious to say that there was no man more desirous than himself to support the honor and character of the East-India Company; it was with that view, that he wished this matter still further entertained. He believed, with his hon. and learned friend (Mr. Impey), that in effect this question was put forward as a matter of law; if that were so, he begged to declare, most unequivocally, that in his judgment Mr. Wilkinson had no right whatever, upon any principle of law. He (Mr. A.) had always held that language; but he thought that still this being a question between this great Company and an individual, the court should lean to the weaker party, and it was with that view that he was willing to give to Mr. Wilkinson a certain sum of money, that sum being what the court of directors thought the just sum to be awarded. The gentlemen who advocated this question seemed to build the whole of their arguments upon the foundation of the opinion declared by several distinct authorities connected with the East-India Company; but he could not help thinking that, after this subject had been discussed in minute detail before the court of directors, who were a fit and proper tribunal to judge of such a question, their determination, whatever it was, ought to govern the decision of this court. Whenever a claim was made upon the purse of the Company, as a reward or indemnity to an individual, he knew of no quarter to whom it could be presented with so much propriety as to the court of directors. On the present occasion the subject in question had been submitted to the directors; and as a majority of their body had agreed upon a given sum, he could not help thinking that that was the sum which ought to be awarded to Mr. Wilkinson. It was true that some of the members of that court were disposed to give the larger sum, but those who had investigated this matter, with the very best disposition to do justice to Mr. Wilkinson, were of a different opinion. But the difference between 75,000 sicca rupees, and the allowance of the profit claimed was so trifling, that if that was the sum to be awarded, he wished the proprietors to see in what a situation the directors were placed. The proprietors had come forward in support of the larger sum, without that substantial ground which, in the opinion of a great proportion of

the court, was essentially necessary to support the claim. When this question was last before the court, all parties seemed to have met for the purpose of deciding the question, and upon the division the numbers were 34 to 34; since then the court had met again, and an amendment had been proposed to the motion. Now if the friends of this gentleman, respectable as he was, thought fit to give their vote to-day for the larger grant, without the data which the directors felt it necessary they should require, the case must remain in effect the same that it was at the last meeting, and they could not be warranted in agreeing to such a proposition, in opposition to the declared sense of the directors, founded upon the opinion of the board of trade as well as that of the committee of warehouses, and supported by a division of 34 proprietors against 34. If, then, the court of directors had thought fit to move an amendment for the larger sum, he should have thought that the court of proprietors would have discharged their duty in opposing it, because, as had been well observed by an hon. director, the court of directors stood in a very different situation from that of the court of proprietors, inasmuch as the former acted under the solemn obligations of an oath, whereas the latter were under no such obligation; for though they might be actuated by friendship, yet they might be equally well disposed to do justice as any gentleman behind the bar. He concluded by saying, that unless some gentleman should think it incumbent on him to set the example, he should think it his duty, when this amendment came to be put, to propose that 75,000 sicca rupees with interest be the sum paid.

Mr. Debb said, that amongst the various duties which the court of directors had to perform, there was none that more painfully called upon their feelings, or more frequently interested their sympathies, than the various claims that were made upon the Company's purse; claims frequently advanced on the different pleas of meritorious service, great distress, and a variety of other suggestions, many of them being without foundation. In such cases it was often the painful duty of the court to disappoint the expectations of persons who have supposed themselves entitled to relief and consideration. But the court of directors had a serious duty to perform, and as the hon. gentleman who spoke last had truly said, a duty which they were bound to perform, under the solemn obligation of an oath, to the best of their skill and judgment. Claims like the present, when brought forward, were plausibly urged upon grounds apparently strong, and in such cases it became the duty of the directors to sift

them to the bottom, and see upon what foundation they were built. The first he had heard of Mr. Wilkinson was from that gentleman himself, at his (Mr. B.'s) own house. As the gentleman was not present to-day, as at the former meeting, he should abstain from entering into a detail of all that passed between them. He would, however, state thus much, that Mr. Wilkinson had put his case with much apparent strength and plausibility, and stated the various wrongs and hardships he had sustained. His (Mr. B.'s) reply was, "Why did you not prosecute the government in the spring court?" He said it was a very awkward question to put, and gave as good a reply as the nature of the case would admit; he said that it was a very unpleasant thing for an individual like him to go into a court of justice in India to prosecute the government of the country. Still however, he (Mr. B.) would now maintain, that had Mr. Wilkinson had any solid ground to stand upon to the extent he had urged, it would have been his bounden duty to go into a British court of justice in India, which would have been perfectly independent of the government, and which would have done justice to him, and given him such a judgment as appeared to them right and proper. Mr. Wilkinson himself, in the conversation alluded to, put forward his claim upon the ground of law, stating that the Bengal government had entered into a legal engagement not to resume what was improperly called a monopoly of saltpetre, urging as the foundation of his argument that the government had encouraged him, by their legal enactments, to embark in the open trade. It was necessary here to correct a mistake into which persons had fallen in calling the Company's concern in the trade of saltpetre a monopoly; it was a misnomer so to call it, as might appear by reference to the grant of the saltpetre districts in the year 1757, at which time the Company entered into possession of the whole of the district in which the manufactory of saltpetre was carried on. In that district the Company made their engagements with persons to supply them with saltpetre; down to the year 1811, comprehending a period of fifty-four years, those engagements had been continued: it was a mistake therefore, to call these engagements, under the authority of the grant of 1757, a monopoly. With equal truth might it be said that the government had not held out any encouragement to any persons to enter into the trade, because the whole tenor of the grant ran directly against such an idea, and the government of Bengal would have acted with great impropriety if they had given any such encouragement. The Company were under engagements in this country to deliver to the board of ordnance

a very considerable quantity of saltpetre as well as for the general service of the country. The Bengal government, according to the latest advices they had from Europe, which would be about the autumn of 1811, expected that the demands for saltpetre in Europe would be still greater, and therefore it was not likely that they would give out of their own hands the sources of supply, and leave themselves at the mercy of private individuals. Every man knew the precarious situation in which Europe stood at that time: the trumpet of war was then sounding throughout the whole continent. The Bengal government at this period, looking at the state of the country at home and the demands likely to be made upon them, found it necessary to resume the monopoly, as it was termed, and he would ask what would have been the situation in which the government of Bengal would have been placed if the Company could not have made good its engagements in this country? Would not the government, in the first instance, and parliament in the next, have deemed the Company highly censurable in not furnishing them with an article so extremely essential to their interests. It had been urged as a ground of argument in this case, that the Bengal government had resumed the monopoly without notice and without warning. It was true they did: they resumed it in a moment. But what did they do? The notice was issued in the month of March, but it could not take effect until the month of October. It was not done privately but publicly, knowing at the time, as every body did, that saltpetre could only be made from October to March or April, the rains generally setting in at the latter end of May or beginning of June, so that from May until October saltpetre could not be made, and therefore the regulation could not take effect until October; that would give ample time to every man who had issued advances of money to recover the commodity for which he had made advances. Mr. Wilkinson, it must be presumed, for he had no where said to the contrary, had recovered back much of the money which he had advanced, and had got back the rest of its value in saltpetre, for it was very well known that he had sold a considerable quantity of saltpetre at an advanced price in Calcutta. Mr. Wilkinson, however, seemed to complain of the great hardship done to him in the consideration which the government shewed him, in allowing him to continue his contracts, if he chose, upon the conditions mentioned. Now for his (Mr. B.'s) part, he could not help thinking that the government had done him a very considerable favour in saying, "Sir, you may go on with the contracts that you have

made, but upon this condition, that you shall give security not to interfere with any of the manufacturers for our government, that you shall not supply any of the debtors of the government, and that you shall not exceed the amount of the contracts you have made:" at which time he was furnished with a list of the names of the manufacturers of the Company. It seemed to be urged as a matter of complaint, that the government did not furnish Mr. Wilkinson with a statement of the amount of the security that would be required of him; but the fact was that he had never sent for it, which it was his duty to do: instead of which, he kept quiet until the month of January following, without making any application to the government upon the subject, but this fact he had studiously kept back from the printed paper he had sent round. If Mr. Wilkinson was really anxious to have availed himself of the offer which the government made, it was his duty to have bestirred himself in complying with the conditions required; but this he neglected to do, and yet he was willing to attribute the consequence of his own laches to the government. Some comments had been made upon the conduct of the Company, upon which he begged to say a few words, as they respected himself. He had served in India for a great number of years: he was appointed in the year 1770, and continued in the service till the year 1800; since then he had been chosen as one of the executive body, and from the year 1804 to the present time he was not conscious that any part of his conduct deserved the remarks that had been made. He felt no personal resentment at a term which an hon. proprietor had used, but he thought it his duty to let that hon. gentleman feel, that the term quibble, as applied to the conduct of the directors in this transaction, was harsh and unjustifiable. It was a question whether Mr. Wilkinson had really sustained any actual loss by this transaction, for it was a very fair presumption, according as the case at present stood, that if he had at first sustained any loss, or had issued any money, he had recovered it back or its value. Undoubtedly it was stated in argument that he had sustained a loss, but nothing of that kind had appeared upon the proceedings. He (Mr. B.) had looked at them and read all the papers word by word, and had paid the utmost attention to every material part of the case, but nothing of that sort could he find. The advocates of Mr. Wilkinson's case had endeavoured to confound all distinction between an actual loss and expected profit; but really he saw no foundation for such an argument, either in reason or in justice. No man

was more disposed than he was to give Mr. Wilkinson a full compensation for an actual loss, but there was a very great distinction between an actual loss and an expected profit. An hon. proprietor, of great mercantile experience, had very justly pointed out this distinction. For his own part, he (Mr. B.) had never heard of such a principle in these cases, that a man was to be compensated for his expected profits, as well as the actual loss he might sustain by the interruption of his speculations. It had been said that the conduct of the government of this country towards certain merchants who had exported corn from England to France, was a case in point, illustrative of the principle upon which Mr. Wilkinson was to be compensated; but that case had, in fact, nothing at all to do with the present question, because there the speculations of the merchants, which were perfectly legal, had been put a stop to by what might be considered an illegal act of the ministers, who took upon themselves, on their own responsibility, from motives of sound policy, to do that which would work a private injury to individuals. In that case, undoubtedly, parliament had very wisely and properly given those persons full compensations, but this was a very different case. The Bengal government had a legal right to resume the monopoly of saltpetre at a moment's notice, and in the resumption of it they acted for the benefit of the public interest; but in doing so they gave Mr. Wilkinson ample time to recoup himself, and draw back every thing that he had embarked in his speculations. It had been said, also, that the case of the West India Docks was a case in point, because there the government had given certain merchants an indemnity upon the principle of expected profits. That case also was as different from the present as light from darkness, because there the government had no right to deprive those individuals of the advantage of their legal speculations. The analogy, however, between that case and this would not stand for a moment; the basis of Mr. Wilkinson's claim, was the alleged illegal act of the Bengal government in resuming their monopoly, but he (Mr. B.) submitted, that it was not competent for Mr. Wilkinson to try the issue between him and the government, as to the motives of policy that actuated their conduct. Whether they had wisely or unwisely, it was not for this court to determine; they had acted on their own responsibility, but were not responsible to Mr. Wilkinson for their conduct. It had been stated with great eloquence, by an hon. and learned proprietor (Mr. Jackson), that Mr. Wilkinson's claim stood upon the broad ground of justice; so had that

gentleman said himself: had he a legal right, an equitable right, or a moral right? It was not pretended that he had a legal right, and if he had an equitable right, the court of Chancery was open to him. Had he then a moral right? he (Mr. B.) could not find that he had. Mr. Wilkinson did not rest his claim merely upon the foundation of actual loss, but he contended that he was entitled to compensation for temporary and speculative profits. To that proposition he (Mr. B.) never could accede: those profits being merely of speculation might or might not have arisen, and could not be reduced to any positive certainty. A man who entered into speculations of this kind took the chances of success; speculations were always matter of risk, and frequently produced miserable disappointment to the speculators. The subsequent state of the market in the article of saltpetre ought not to be taken into consideration in this case, because no man could have anticipated before hand at what price the article would be, and therefore the circumstance of the market turning out favourable for such a speculation could not be taken into the account. This case must be determined upon the strict grounds of justice, and the bare rights of the party. Mr. Wilkinson had made out no case on the ground of justice; he had established no right to a compensation upon the principle which he contended, and, therefore, he (Mr. B.) could not give his consent that a sum of money should be given, in the absence of all satisfactory proof upon the subject, because he was satisfied that if the court were to lend themselves to the establishment of such a precedent, it would open the door to innumerable claims, without the slightest foundation.

Mr. Palmer said he should vote for the larger sum, upon the principle that as the Company had derived considerable profit from those contracts which Mr. Wilkinson was compelled to yield up by the strong arm of power, after he had entered into them under the sanction of legal authority, they ought to account to him to the last farthing for the profits they had received, and which would have come into his hands had he been permitted to pursue his speculations.

Mr. Forbes, in reply, said he could not but agree in the observation of the hon. gentleman who had spoke last, that as Mr. Wilkinson had sustained the injury of which he complained in consequence of the arbitrary act of the Bengal government in resuming the monopoly, after they had tempted him to embark in the speculation, they were bound to indemnify him to the fullest extent for the actual as well as expectant loss he sustained. Mr. Wilkinson and his friends cer-

tainly did not desire to rest this case upon any other ground than that of justice; the simple question was whether, by the act of the government in opening the trade, he had been induced to enter into the contracts which had been adverted to; for if that proposition was satisfactorily established, there could be no doubt that the government, in resuming the monopoly, impliedly undertook to indemnify him against all losses which he might sustain in consequence of the engagements he had entered into on the faith of official encouragement. Even supposing that his speculations would not have turned out to advantage, he had been permitted to have continued them, still if, in the result, he was precluded from enjoying those advantages which he might reasonably anticipate, the government, on every principle of equity, verily bound to indemnify him considering the advantage they had derived from the resumption of their monopoly. As a common principle of justice, wherever a private individual suffered in his circumstances for the benefit of the public, the least that the public could do would be to place him in a situation not inferior to that in which he commenced; upon this principle, and this alone, he (Mr. F.) had stood forward to advocate the claims of Mr. Wilkinson, and upon this principle he would stand forward, in whatever situation he might be placed, either here or elsewhere. An hon. and learned gentleman (Mr. Impey) had thought proper to ask him what would be the course of his conduct in the House of Commons, if a similar application had been made to parliament? without entering into any consideration of that hon. and learned gentleman's right to question him as to his conduct here or elsewhere, he would, without the least hesitation, answer, that as a member of parliament called upon to decide upon the petition of an individual complaining that his private interests had suffered in consequence of the public measure of the government, there was but one course he could pursue, namely, that of voting in favour of a complete indemnification. It had been stated, and repeated, and he trusted to the perfect satisfaction of every body, and more particularly by an hon. director (Mr. Murray), for whose sentiments he entertained the highest respect and admiration, that the principle which governed the legislature of this country in cases of this nature was the principle upon which this question must be decided: upon that principle he (Mr. F.) would stand, without regard to private friendship or private motives. He would say more; this question must stand upon its own merits. The cause, in his opinion, it would be paying the worst sort of compliment to the gen-



tleman, if they were to do that from motives of private friendship which they were called upon to do in strict justice. All that he (Mr. F.) required and solicited, all that his most sanguine friends desired on behalf of Mr. Wilkinson, was, that his claim should be satisfied by the liberality and justice of the court; and he trusted that the court would consider him entitled to all he asked, as a debt due to impartial justice.

The *Chairman* then put the question upon the amendment, which was negatived. The court divided on the original motion, when there appeared :

Ayes 59—Noes 50.

The motion for a grant of 1,80,000 rupees to Mr. Wilkinson being carried,—

The *Chairman* announced, that in consequence of this decision a requisition had been signed by a certain number of directors and proprietors, demanding a ballot.

The ballot was accordingly fixed for this day fortnight.

#### VOTE TO CAPTAIN SIR MURRAY MAXWELL.

The resolution approving of a vote of £1,500 to Sir Murray Maxwell, for the losses he had sustained by the wreck of his Majesty's ship *Alceste*, employed on the late embassy to China, having been read and put to the court for its approval,

Mr. *Hume* rose and said, that as this was the first time the court had an opportunity of expressing its sense of the question now submitted to it, he begged leave to offer a few remarks upon the subject of this vote to Sir Murray Maxwell. He could not but consider this as quite a novel question, and it was very fit, therefore, that the court should distinctly understand the grounds upon which they were proceeding to accede to a resolution framed as this was. The court, as a company of merchants, were called upon to grant away a sum of money, not to one of their own servants, but to an officer of his Majesty's navy, for services performed in the king's employment. In that point of view, it appeared to him that the resolution proposed was highly objectionable. He had taken a great deal of pains and trouble to make himself acquainted with the practice of the Company's own naval service as well as the naval service of the crown, and he was free to confess that he really could not agree to the vote proposed for the reasons set forth in the resolution. The reason why he objected to it was, that this Company, as a body of merchants, could not indemnify one of his Majesty's servants for the losses he had sustained in the wreck of the *Alceste*. It would be rejected, that when a sum of £3000 was proposed to be voted to Sir Thomas His-

lop for the loss he had sustained on board the *Java* on his way to India, it was objected to upon the same ground. The court of proprietors thought proper to refuse it, and that gentleman did not get the money, for this reason, because, agreeably to the universal practice of his Majesty's navy, no remuneration was ever made to officers for losses sustained by capture or shipwreck. The objection, therefore, that he had to the present motion, founded on the principle then laid down was, that his Majesty's naval service never granted such allowances. The same principle he believed prevailed in the Company's service, and the only instance in which it was departed from, in the course of a hundred years, was in the case of the officers of the *Britannia*; that, undoubtedly, was a most dangerous precedent, and one upon which this court ought not to act, for this reason, that if Capt. Maxwell, as a servant of his Majesty, sustained any loss in that service, it was the business of his Majesty's government to give him a recompense. If this had been a loss which Capt. Maxwell could not have guarded against by insurance, then probably he might have come before the court and claimed some recompense, but it was quite clear that he could have insured all his property on board the *Alceste*; and if he (Mr. H.) was not very much mistaken, Capt. Maxwell did insure his property, and had recovered his losses from the underwriters. His objection to the present vote was to the principle of it, and the reasons assigned in the resolution, because he was persuaded that this court would never sanction the principle of paying officers for losses which they might have recovered by insurance, or which his Majesty's government might have made good: he should therefore submit to the court the propriety of expunging those words which related to Capt. Maxwell's losses in consequence of the wreck of the *Alceste*, contending as he did, that this was an improper reason why this money should be granted. He, however, held it to be a clear proposition that the court of directors had a discretionary power in giving Sir Murray Maxwell a sum of money in consideration of any services he had rendered the Company upon the embassy. If the directors were satisfied that Capt. Maxwell's services to the Company generally, were such as to entitle him to a fair claim on the liberality of the court, he for one should not oppose the exercise of that liberality towards him; but he would strongly oppose the establishment of a precedent for the indemnification of officers in his Majesty's service. Had the court of directors, upon inquiry into the circumstances of the case, found that Capt. Maxwell had a just claim

upon their liberality, he (Mr. H.) conceived that they could have extended their liberality towards him without coming to this court; they were absolutely competent to reward Sir Murray Maxwell for any services he had performed for the Company, and this was the only ground upon which the vote of £1500 could be sanctioned. He believed that there was a ground of that kind upon which Capt. Maxwell was entitled to the liberal consideration of the Company; when the embassy was about to embark, a question of some importance occurred, as to the manner in which the table of his Excellency should be provided during the voyage. He believed there was only one individual alive who had attended the embassy under Lord Macartney, and that was Mr. Barrow, the secretary of the Admiralty, and upon inquiring of him as to the manner in which the expense of the ambassador's table was managed, it appeared that a board of green cloth was established, who had the charge of the stock, but such was the ill consequence resulting from such an arrangement that no one felt satisfied. The stock not being under the management of the captain, the greatest confusion and irregularity prevailed; the thing was neglected, because there was no specific person to look after or take charge of the stock. He (Mr. H.) understood, that on the late occasion, Mr. Barrow gave it as his advice that whatever arrangements the court of directors should make on this subject, it was to be provided that the captain should take charge of his Excellency's table, and he was informed that the hon. director who then filled the chair, and the hon. deputy, did accordingly direct, that if Sir Murray Maxwell would take upon himself the trouble and responsibility of this duty, his services should fairly be considered at the termination of the voyage. He had heard that Sir Murray Maxwell had undertaken this duty, and had performed it to the satisfaction of every body, so long as circumstances would permit. If this statement was correct, he, for one, thought that Capt. Maxwell was entitled to the consideration of the directors in this respect, and on this ground he was disposed to agree to the vote proposed, if it were freed from the objection which he had suggested; therefore he should propose to leave out these words, "and the losses he sustained in the wreck of that ship." If these words were expunged from the resolution, he was quite ready to give it his support, because his objection on the score of a bad precedent would be removed. He concluded by moving, as an amendment, that

the words alluded to should be left out of the resolution.

Mr. Lounides seconded the amendment.

After a short conversation, in which Mr. Elphinstone, Mr. Grant, Mr. Moore, and Mr. Dixon took part, the following substantive resolution was proposed instead of the amended one.

"Resolved, That in consideration of the unwearied attentions paid by Capt. Sir Murray Maxwell, commander of his Majesty's late ship *Alceste*, to Lord Amherst, and the other members of the late embassy to China, and in testimony of his services rendered to the Company, he be presented with the sum of £1500, subject to the approbation of another general court, and of the right hon. the board of commissioners for the affairs of India."

The question being put on this resolution it was agreed to unanimously.

The following resolutions were, on the motion of the *Chairman*, seconded by the *Deputy Chairman*, agreed to without observation.

#### FEE FUND.

"Resolved, That this court confirm their resolution of the 21th March, approving the grant of £4,000 per annum, out of the general fee fund, and £600 per annum out of the Company's cash, in aid of a fund for the benefit of the widows and families of deceased officers upon the regular home establishment."

"Resolved, That this court confirm their resolution of the 21th March approving the grant of £500 per annum from the general fee fund, and £500 per annum from the Company's cash, in aid of a fund for the benefit of the widows and families of deceased elders, extra clerks, and others of the home service."

#### GRANT TO COL. SALMOND.

"Resolved, That this court confirm their resolution of the 24th March approving the grant to Lieut.-Col. Salmond, the military secretary for conducting the military correspondence with India, of an addition of £500 per annum to his salary."

#### CHAPLAIN AT CANTON.

"Resolved, That this court approve the resolution of the court of directors of the 17th March last, appointing a chaplain to the Company's factory at Canton, with a salary of £800 per annum, payable out of the commission, subject to the confirmation of another general court."

Adjourned.



|                                 | L. | s. | d. | L. | s. | d. |
|---------------------------------|----|----|----|----|----|----|
| Cochineal.....lb.               | 0  | 5  | 6  | 0  | 6  | 0  |
| Coffee, Java.....cwt.           |    |    |    |    |    |    |
| — Cheribon.....cwt.             |    |    |    |    |    |    |
| — Bourbon.....cwt.              |    |    |    |    |    |    |
| — Mocha.....cwt.                |    |    |    |    |    |    |
| Cotton, Surat.....lb.           | 0  | 0  | 6  | —  | 0  | 0  |
| — Extra fine.....lb.            | 0  | 0  | 9  | —  | 0  | 0  |
| — Bengal.....lb.                | 0  | 0  | 6  | —  | 0  | 0  |
| — Bourbon.....lb.               | 0  | 1  | 6  | —  | 0  | 2  |
| Drugs, &c. for Dyeing.          |    |    |    |    |    |    |
| — Aloes, Eptica.....cwt.        | 5  | 5  | 0  | —  | 7  | 0  |
| — Anniseeds, Star.....cwt.      | 4  | 15 | 0  | —  | 5  | 0  |
| — Borax, Refined.....cwt.       | 4  | 4  | 0  | —  | 4  | 5  |
| — Unrefined, or Tincal.....cwt. | 4  | 4  | 0  | —  | 4  | 5  |
| — Camphire unrefined.....cwt.   | 10 | 10 | 0  | —  | 12 | 0  |
| — Cardemoms, Malabar.....lb.    | 0  | 2  | 9  | —  | 0  | 6  |
| — Ceylon.....lb.                | 0  | 3  | 0  | —  | 0  | 3  |
| — Cassia Buds.....cwt.          | 17 | 0  | 0  | —  | 18 | 10 |
| — Ligna.....cwt.                | 8  | 0  | 0  | —  | 10 | 10 |
| — Castor Oil.....lb.            | 0  | 1  | 11 | —  | 0  | 3  |
| — China Root.....cwt.           | 1  | 10 | 0  | —  | 1  | 14 |
| — Coculus Indicus.....cwt.      | 1  | 5  | 0  | —  | 2  | 2  |
| — Columbo Root.....cwt.         | 3  | 15 | 0  | —  |    |    |
| — Dragon's Blood.....cwt.       | 30 | 0  | 0  | —  | 41 | 0  |
| — Gum Ammoniac, lump.....cwt.   | 10 | 0  | 0  | —  |    |    |
| — Arabic.....cwt.               | 4  | 5  | 0  | —  | 6  | 5  |
| — Assafetida.....cwt.           | 11 | 0  | 0  | —  | 15 | 0  |
| — Benjamin.....cwt.             | 8  | 0  | 0  | —  | 58 | 0  |
| — Animi.....cwt.                | 5  | 0  | 0  | —  | 8  | 0  |
| — Galbanum.....cwt.             |    |    |    | —  |    |    |
| — Gambogium.....cwt.            | 15 | 0  | 0  | —  | 19 | 0  |
| — Myrrh.....cwt.                | 5  | 10 | 0  | —  | 7  | 0  |
| — Olibanum.....cwt.             | 7  | 0  | 0  | —  | 8  | 0  |
| — Lac Lake.....cwt.             | 0  | 1  | 6  | —  | 0  | 3  |
| — Dye.....cwt.                  | 0  | 5  | 0  | —  | 0  | 6  |
| — Shell, Black.....cwt.         |    |    |    | —  |    |    |
| — Shivered.....cwt.             |    |    |    | —  |    |    |
| — Stick.....cwt.                |    |    |    | —  |    |    |
| — Musk, China.....oz.           |    |    |    | —  |    |    |
| — Nux Vomica.....cwt.           | 1  | 5  | 0  | —  | 1  | 10 |
| — Oil Cassia.....oz.            | 0  | 1  | 6  | —  | 0  | 2  |
| — Cinnamon.....cwt.             | 0  | 15 | 0  | —  |    |    |
| — Cloves.....cwt.               | 0  | 3  | 6  | —  |    |    |
| — Mace.....cwt.                 |    |    |    | —  |    |    |
| — Nutmegs.....cwt.              | 0  | 1  | 0  | —  | 0  | 1  |
| — Opium.....lb.                 |    |    |    | —  |    |    |
| — Rhubarb.....cwt.              | 0  | 3  | 6  | —  | 0  | 5  |
| — Sal Ammoniac.....cwt.         | 6  | 0  | 0  | —  | 7  | 0  |
| — Senna.....lb.                 | 0  | 1  | 3  | —  | 0  | 2  |
| — Turmeric, Java.....cwt.       |    |    |    | —  |    |    |

|                                | L. | s. | d. | L. | s. | d. |
|--------------------------------|----|----|----|----|----|----|
| Drugs, &c. for Dyeing.         |    |    |    |    |    |    |
| — Turmeric, Bengal.....cwt.    |    |    |    | —  |    |    |
| — China.....cwt.               |    |    |    | —  |    |    |
| — Zedary.....cwt.              |    |    |    | —  |    |    |
| Galls, in Sorts.....cwt.       |    |    |    | —  |    |    |
| — Blue.....cwt.                | 7  | 10 | 0  | —  | 9  | 0  |
| Indigo, Blue.....lb.           |    |    |    | —  |    |    |
| — Blue and Violet.....lb.      | 0  | 8  | 9  | —  | 0  | 9  |
| — Purple and Violet.....lb.    | 0  | 8  | 3  | —  | 0  | 8  |
| — Good Ditto.....lb.           | 0  | 7  | 9  | —  | 0  | 8  |
| — Fine Violet.....lb.          | 0  | 7  | 6  | —  | 0  | 7  |
| — Good Ditto.....lb.           | 0  | 7  | 0  | —  | 0  | 7  |
| — Fine Violet & Copper.....lb. | 0  | 6  | 6  | —  | 0  | 6  |
| — Fine & Good Copper.....lb.   | 0  | 6  | 0  | —  | 0  | 6  |
| — Middling Ditto.....lb.       | 0  | 5  | 6  | —  | 0  | 5  |
| — Ordinary Ditto.....lb.       | 0  | 4  | 10 | —  | 0  | 5  |
| — Manilla.....cwt.             |    |    |    | —  |    |    |
| Rice.....cwt.                  | 0  | 12 | 0  | —  | 0  | 18 |
| Safflower.....cwt.             | 12 | 0  | 0  | —  |    |    |
| Sago.....cwt.                  | 1  | 0  | 0  | —  | 1  | 2  |
| Saltetre, Refined.....cwt.     | 2  | 3  | 0  | —  |    |    |
| Silk, Bengal Skein.....lb.     | 0  | 17 | 1  | —  | 1  | 0  |
| — No. 1.....lb.                | 1  | 3  | 0  | —  | 1  | 17 |
| — Ditto White.....lb.          |    |    |    | —  |    |    |
| — China.....lb.                | 1  | 6  | 10 | —  | 1  | 15 |
| — Organzine.....lb.            | 1  | 18 | 0  | —  | 2  | 10 |
| Spices, Cinnamon.....cwt.      | 0  | 7  | 7  | —  | 0  | 10 |
| — Cloves.....cwt.              | 0  | 3  | 1  | —  | 0  | 3  |
| — Bourbon.....cwt.             |    |    |    | —  |    |    |
| — Mace.....cwt.                | 0  | 7  | 1  | —  | 0  | 8  |
| — Nutmegs.....cwt.             | 0  | 5  | 1  | —  | 0  | 5  |
| — Ginger.....cwt.              | 0  | 19 | 0  | —  | 1  | 3  |
| — Pepper, Company's lb.        | 0  | 0  | 7  | —  |    |    |
| — Privilege.....lb.            | 0  | 0  | 7  | —  |    |    |
| — White.....lb.                | 0  | 0  | 10 | —  |    |    |
| Sugar, Yellow.....cwt.         |    |    |    | —  |    |    |
| — White.....cwt.               |    |    |    | —  |    |    |
| — Brown.....cwt.               |    |    |    | —  |    |    |
| Tea, Bohea.....lb.             | 0  | 1  | 10 | —  |    |    |
| — Congou.....lb.               | 0  | 2  | 6  | —  | 0  | 3  |
| — Souchoing.....lb.            | 0  | 3  | 6  | —  | 0  | 5  |
| — Campoi.....lb.               | 0  | 3  | 2  | —  | 0  | 3  |
| — Twankay.....lb.              | 0  | 2  | 9  | —  | 0  | 3  |
| — Pekoe.....lb.                | 0  | 4  | 8  | —  | 0  | 4  |
| — Hyson Skin.....lb.           | 0  | 4  | 0  | —  |    |    |
| — Hyson.....lb.                | 0  | 4  | 7  | —  | 0  | 6  |
| — Gunpowder.....lb.            |    |    |    | —  |    |    |
| Tortoiseshell.....lb.          | 1  | 15 | 0  | —  | 2  | 0  |
| Woods, Sandal Red.....ton      | 6  | 10 | 0  | —  | 7  | 10 |

## GOODS DECLARED FOR SALE AT THE EAST-INDIA HOUSE.

For Sale 1 June—Prompt 27 August.

Tra.—Bohea, 400,000 lbs.—Congou, Campoi, Pekoe, and Souchoing, 4,900,000 lbs.—Twankay and Hyson Skin, 1,100,000 lbs.—Hyson, 900,000 lbs.—Total, including Private-Trade, 6,600,000 lbs.

For Sale 8 June—Prompt 10 September.

Company's.—Madeira and Cape Madeira Wine.

For Sale 11 June—Prompt 10 September.

Company's.—Cotton Wool.

Licensed.—Cotton Wool.

For Sale 15 June—Prompt 10 September.

Company's.—Bengal, Coast, and Surat Piece Goods, China Goods, and Nankeen Cloth.

For Sale 19 July—Prompt 15 October.

Company's.—Bengal Raw Silk.

Private-Trade.—Bengal Chassum Silk—China Silk.

## CARGOES OF EAST-INDIA COMPANY'S SHIPS LATELY ARRIVED.

CARGOES of the *Canning*, *London*, *Duke of York*, *Orwell*, *Scotby Castle*, *Lady Melville*, *Princess Amelia*, *Marquis of Huntly*, *Thomas Coutts*, and *Perseverance*, from China; and the *Prince Regent* and *Marchioness of Ely*, from Bengal.

Company's.—Tea—Bengal Piece Goods—China

Raw Silk—Nankeens—Bengal Raw Silk—Saltpetre—Sugar—Hemp and Sunn—Carpets.

Private-Trade and Privilege.—Tea—China Raw Silk—Raw Nankeen Silk—Silk Handkerchiefs—Silk—Wrought Silks—Bengal Raw Silk—Bengal Piece Goods—Nankeens—Crape—Vermillion—Rhubarb—Benjamin—Cassia—Cassia Buds—Gamboge—Ginger—Sugar—Pastilles—Mace—Anniseeds—Cinnamon Oil—Castor Oil—Cassia Oil—Cassia and Cinnamon Oil—Rose Water—Tortoiseshell—Mother-of-Pearl Shells—Mother-of-Pearl Handles—Fish Counters—China Ink—Rouge—Seed Coral—Beads—Fish Skins—Fishing Lines—Paper—Rattan Hats—Rice Paper—Artificial Flowers—China Ware—China Shoes—China Root—Indigo—Redwood—Canes—Whanghees—Bamboo Canes—Floor Mats—Table Mats—Wine—Madeira Wine—Sherry.

## INDIAN SECURITIES AND EXCHANGES.

It appears, by accounts from Bengal to the middle of December, that the Company's Six per Cent. Paper was at a discount of  $\frac{6}{8}$  to 7 per Cent.

A considerable scarcity of money prevailed, and the private rate of interest had increased.

The exchange in London on Calcutta has declined, in consequence of the fall in the price of silver, to about 2s. 2d. per Sicca Rupee for Bills at 60 days' sight.

*Daily Prices of Stocks, from the 26th of April to the 25th of May, 1819.*

| 1819.   | Bank    | 3 p. Cent. | Reduced. | 3 p. Cent. | Cons. 1790. | Nav.    | Long   | 3 p. Cent. | Imperial | Ditto | Annuit. | Omnium. | India   | South Sea | New     | 4 per Cent. | 2d per Dy. | Consol. | Lottery | 1819.   |
|---------|---------|------------|----------|------------|-------------|---------|--------|------------|----------|-------|---------|---------|---------|-----------|---------|-------------|------------|---------|---------|---------|
| Apr. 26 | —       | 71 1/2     | 72 1/2   | 72 1/2     | 90 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | 220     | —         | —       | 28 27 1/2   | 4 3 p      | 72 1/2  | 19 18 0 | Apr. 26 |
| 27      | 238     | 71 1/2     | 72 1/2   | 72 1/2     | 90 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | —       | —         | —       | 29 26 1/2   | 3 4 p      | 72 1/2  | 19 18 0 | 27      |
| 28      | —       | 71 1/2     | 72 1/2   | 72 1/2     | 90 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | 220     | —         | —       | 27 p        | 10 9 p     | 71 1/2  | —       | 28      |
| 29      | 251     | 71 1/2     | 72 1/2   | 72 1/2     | 90 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | —       | —         | —       | 23 26 1/2   | 7 9 p      | 71 1/2  | —       | 29      |
| 30      | 251 1/2 | 71 1/2     | 72 1/2   | 72 1/2     | 90 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | —       | —         | —       | 26 23 1/2   | 7 10 p     | 72 1/2  | 19 18 0 | 30      |
| May 3   | 251     | 71 1/2     | 72 1/2   | 72 1/2     | —           | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | —       | 79 1/2    | 71 1/2  | 29 p        | 8 9 p      | 71 1/2  | —       | May 3   |
| 4       | 251 1/2 | 71 1/2     | 72 1/2   | 72 1/2     | 90 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | 219     | —         | 71 1/2  | 28 30 p     | 9 11 p     | 72 1/2  | —       | 4       |
| 5       | —       | 71 1/2     | 72 1/2   | 72 1/2     | 90 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 218 1/2 | 71 1/2    | 28 p    | 28 p        | 9 11 p     | 72 1/2  | —       | 5       |
| 6       | —       | 71 1/2     | 72 1/2   | 72 1/2     | 90 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | 219 1/2 | 70 1/2    | 28 29 p | 27 29 p     | 9 10 p     | 72 1/2  | —       | 6       |
| 7       | 250 1/2 | 71 1/2     | 72 1/2   | 72 1/2     | 90 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | —       | —         | 27 28 p | 27 28 p     | 9 7 p      | 72 1/2  | —       | 7       |
| 8       | 230     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | —       | —         | 28 p    | 28 p        | 7 8 p      | 72 1/2  | —       | 8       |
| 9       | —       | 71 1/2     | 72 1/2   | 72 1/2     | 90 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | —       | —         | 26 28 p | 26 28 p     | 8 7 p      | 72 1/2  | —       | 9       |
| 10      | —       | 71 1/2     | 72 1/2   | 72 1/2     | 90 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | —       | —         | 26 28 p | 26 28 p     | 6 7 p      | 72 1/2  | —       | 10      |
| 11      | 249     | 71 1/2     | 72 1/2   | 72 1/2     | 90 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | —       | —         | 26 28 p | 26 28 p     | 6 7 p      | 72 1/2  | —       | 11      |
| 12      | 238     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | —        | —     | —       | —       | 217 1/2 | —         | 26 27 p | 26 27 p     | 7 8 p      | 71 1/2  | 21 18 0 | 12      |
| 13      | 237     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 218     | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 13      |
| 14      | 237     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 218     | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 14      |
| 15      | 237     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 217 1/2 | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 15      |
| 16      | 238     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 218     | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 16      |
| 17      | —       | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 217 1/2 | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 17      |
| 18      | 237     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 218     | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 18      |
| 19      | —       | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 217 1/2 | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 19      |
| 20      | 237     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 218     | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 20      |
| 21      | 237     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 217 1/2 | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 21      |
| 22      | 230     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 217 1/2 | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 22      |
| 23      | 230     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 217 1/2 | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 23      |
| 24      | 230     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 217 1/2 | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 24      |
| 25      | 212     | 71 1/2     | 72 1/2   | 72 1/2     | 89 1/2      | 104 1/2 | 18 1/2 | 80 1/2     | 69 1/2   | —     | —       | —       | 217 1/2 | —         | 26 27 p | 26 27 p     | 8 10 p     | 71 1/2  | 21 18 0 | 25      |

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